

### प्राधिकार से प्रकाशित

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NEW DELHI, SATURDAY, AUGUST 7, 1971/SRAVANA 16, 1893

इस भाग में भिन्न पूर्व संख्या दी जाती है जिससे कि यह श्रलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation.

# भाग II—सण्ड 3—उपजण्ड (ii)

PART II-Section 3-Sub-section (ii)

(रक्षा मत्रालय को छोड़कर) भारत सरकार के मंत्रालयों प्रीर (संघ क्षेत्र प्रशासन को छोड़कर)

केन्द्रीय प्राधिकरणीं द्वारा जारी किये गए विधिक ब्रावेश ग्रोर ग्रधिसुचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories.)

## MINISTRY OF LABOUR AND REHABILITATION

### SHRAM AUR PUNARVAS MANTRALAYA

(Department of Labour and Employment) (Shram Aur Rozgar Vibhag)

Dated New Delhi, the 9th July, 1971

S.O. 2921.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Comel, Sandhurst Bridge. 532 Sardar Vallabhbhai Patel Road, Bombay-7 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of June, 1970.

[No. 8(288)/70-PF. II.]

# श्रम ग्रौर पुनर्वास मंत्रालय (श्रम ग्रौर रोतगार विभाग)

# नई दिल्ली, दिनांक जुलाई 9, 1971

का० आ० 2021—यतः केन्द्रीय सेरकार को यह प्रतीत होता है कि मैसर्स कामेल साधस्ट बिज, 532 सेरदार बल्लभगई पटेल रोड, मुम्बई,—7 नामक स्थापन से सम्बद्ध नि जिक और कर्नचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्नचारी भविष्य निधि और परिवार पेंगन निधि अधिनियम, 1952 (1952 का 19) के उनबन्ध उनत स्थापन को लागू किए जाने चाहिए —

श्रतः, श्रव, उन्त श्रधिनियम की धारा की उपधारा (4) द्वारा प्रदत्त मक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उन्त श्रधिनियम के उपबन्ध उन्त स्थापन को एतवृद्वारा लागू करती है।

यह श्रधिसूचना 1970 की जन के तीसवें दिन की प्रवृत्त हुई समसी जायेगी।

S.O. 2922.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mangalore Ganesh Beedi Works, Akbar Road, Mysore have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

The notification shall be deemed to have come into force on the first of February, 1970.

[No. S. 35019(61)/71-PF. II.]

का० द्या० 2922—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेंसर्स मंगलौर गणेश बीड़ी वर्क्स, श्रक्तवर रोड, में सूर नामक स्थापन से सम्बद्ध नियोजक श्रौर कर्म चारी की बहुसंख्या इस बात पर सहमत हो गई है कि कर्म चारी भविष्य निधि श्रौर परिवार पेंशन निधि श्रधिनियम, 1952 (1952 को 19) के उनबन्ध उन्त स्थापन को लागू किए जाने चाहिए;

श्रतः, श्रव, उनत ग्रिधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय संरकार उनत ग्रिधिनियम के पबन्ध उनत स्थापन को एतद्द्वारा लागू करती है।

यह प्रधिसुचना 1970 के फरवरी के प्रथम दिन की प्रयूत हुई समझी जायेगी।

S.O. 2923.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mangalore Ganesh Beedi Works, Kunji Bettu, Udipi, South Kanara have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act  $t_0$  the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S. 35019(45)/71-PF. II.]

का॰ आ॰ 2923-पतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्प मंगलौर गणेश बीड़ी वर्क्स, कुन्जी बट्टु, उदीपी, साउथ कनारा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और परिवार पेंशन निधि प्रधिन्नियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

भ्रतः, भ्रव, उक्त श्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एसद्वारा लागू करती है।

यह म्रधिसूचना 1970 के फरवरी के प्रथम विन को प्रवृत हुई समझी जायेगी।

S.O. 2924.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mangalore Ganesh Beedi Works, Big Bazaar, Hassan, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S. 35019(65)/71-PF. II.]

का॰ आ॰ 2924-यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स मंगलौर गणेश बीड़ी अर्क्स, बिगबाजार, हसन नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और परिवार पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

भ्रतः, भ्रव, उक्त भ्रधिनियम की धारा 1 की उपधारा (4) द्वारा भ्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त भ्रधिनियम के उपबन्ध उक्त स्थापन को एतदद्वारा लागू करती है ।

यह प्रधिसूचना 1970 के फरवरी, के प्रथम दिन की प्रवृत्त हुई समझी जायेगी।

S.O. 2925.—Whereas Messrs The New Great Insurance Company of India Limited, 7 Jamshedji Tata Road, Church Gate Reclamation, Bombay-20 (here-inafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952);

And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to the employees therein than those specified in section

8 of the said Act, and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character;

Now, threfore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme and in pursuance of sub-section (3) of the said section 17, the Central Government hereby directs that,—

- (a) the employer in relation to the said establishment shall pay within fifteen days of the close of the month to the Employees' Provident Fund, inspection charges at the rate of 0.09 per cent (zero point zero nine per cent) of the pay (basic wages, dearness allowance, retaining allowance, if any, and cash value of food concession admissible thereon) for the time being payable to the employees of the said establishment who would have become members under the said Scheme but for this exemption;
- (b) the said employer shall invest the provident fund contributions in accordance with the directions issued by the Central Government from time to time.

#### THE SCHEDULE

- 1. The employer shall submit such returns to the Regional Provident Fund Commissioner as the Central Government may, from time to time, prescribe.
- 2. The employer shall furnish to each employee an Annual Statement of Account or Pass Book.
- 3. All expenses involved in the administration of the Fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulation, payment of inspection charges etc., shall be borne by the employer.
- 4. The employer shall display on the Notice Board of the establishment a copy of the rules of the Fund as approved by the appropriate Government and, as an when amended alongwith a translation of the salient points thereof in the language of the majority of the employees.
- 5. Where an employee who is already member of the Employees' Provident Fund (Statutory Fund) of the Provident Fund of another exempted establishment is employed in his establishment, the employer shall immediately enrol him as a member of the Fund of the establishment, and accept the past accumulations in respect of such employee and credit to his account.
- 6. The employer shall enhance the rate of provident fund contribution appropriately if the rate of provident fund contributions for the class of establishments in which his establishment falls is enhanced under the Employees' Provident Funds and Family Pension Fund Act, 1952 so that the benefits under the provident fund Scheme of the establishment shall not become less favourable than the benefits provided under the Employees' Provident Funds and Family Pension Fund Act, 1952.
- 7. The establishment shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner within 3 months of the close of the year.
- 8. No amendment of the rules of the provident fund shall be made without the previous approval of the Regional Provident Fund Commissioner. Where any amendment is likely to affect adversely the interests of the employee, the Central Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

कां आ 2925—यतः मैसर्स दि न्यू ग्रेट इंग्योरेंश क्रंपनी श्रीफ इंडिया लिमिटेड, जमशेद-जी टाटा रोड, चच हेट रिक्लामेशन मुम्बई—1, (जिससे इसमें इसके पश्चात उक्त स्थापन कहा गया है) ने कर्मचारी भिविष्य निधि तथा परिवार पेंशन निधि श्रधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात उक्त श्रधिनियम कहा गया है) की धारा 17 की उपधारा (1) के खण्ड (क) के श्रधीन छूट देने के लिए श्रावेदन किया है;

प्रौर यतः केन्द्रीय सरकार की राय में घ्रिभदाय की दरों की वाबत उक्त स्थापन के भविष्य निधि नियम उसके कर्मचारियों के लिए उन नियमों से कम ग्रनुकूल नहीं है जो उक्त ग्रिधिनियम की धारा 6 में विनिर्दिष्ट हैं, श्रौर कर्मचारी भविष्य निधि की श्रन्य प्रसुविधाएं भी पा रहे हैं जो कर्मचारियों के लिए कुल मिलाकर उन प्रसुविधाश्रो से कम धनुकूल नहीं हैं, जो उसी प्रकार के किसी धन्य स्थापन के कर्मचारियों के सम्बन्ध में, उक्त ग्रिधिनियम के ग्रिधीन ग्रौर कर्मचारी भविष्य निधि स्कीम, 1952 (जिसे इसमें इसके पश्चात उक्त स्कीम कहा गया है) के श्रिधीन दी जाती है;

श्रतः ग्रब, उक्त श्रधिनियम की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के प्रधीन रहते हुए, केन्द्रीय सरकार उक्त स्थापन को उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से एतद्द्वारा छूट देती है, श्रीर उक्त धारा 17 की उपधारा (3) के श्रनुसरण में केन्द्रीय सरकार एतद्द्वारा निर्देश देती है कि —

- (क) उक्त स्थापन से सम्बद्ध नियोजक उक्त स्थापन के उन कर्मचारियों को, जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के ग्रधीन सदस्य हो गए होते, तत्समय देय वेतन के (श्राधारिक मजदूरी, मंहगाई भत्ता, प्रतिभारण भत्ता, यदि कोई हो, श्रौर उस पर अनुज्ञेय खाद्य रियायत का नकद मूल्य) 0.09 (शून्य दशमलव शून्य नौ) प्रतिशत की दर से निरीक्षण प्रभार मांसान्त के पन्द्रह दिन के भीतर कर्मचारी भविष्य निधि को देगा;
- (ख) उक्त नियोजक भविष्य निधि म्रिभिदायों को, केन्द्रीय सरकार द्वारा समय-समय पर निकाले गये निदेशों के म्रानुसार विनिहित करेगा।

### **ग्रनुस्**ची

- नियोजक प्रावेशिक भविष्य निधि भ्रायुक्त को वे विवरिणयां भेजेगा जिन्हें केन्द्रीय सरकार समय-समय पर विहित करे।
  - 2. नियोजक प्रत्येक कर्मचारी को वार्षिक लेखा-विवरण या पासबुक भेजेगा।
  - 3. निधि के प्रशासन, जिसमें लेखाय्रों का बनाए रखना लेखाय्रों थ्रीर विवरणियों का भेजा जाना ; संचयों का ग्रन्तरण, निरीक्षण-प्रभारों ग्रादि का संदाय सम्मिलित हैं, में ग्रन्तवंलित सभी व्ययों का बहन नियोजक द्वारा किया जायगा ।
  - 4. नियोजक समुचित सरकार द्वारा श्रनुमोदित निधि के नियमों की एक प्रति स्थापन के सूचना पट्ट पर प्रदिश्ति करेगा श्रीर जब कभी उनमें संशोधन किया जायगा तब कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य-मुख्य बातों का श्रनुवाद भी प्रदिश्ति करेगा ।
  - 5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि (कानूनी निधि) या छूट-प्राप्त किसी ग्रन्य स्थापन की भविष्य निधि का पहले ही से सदस्य है, उसके स्थापन में नियो-जित होता है तो नियोजक स्थापन की निधि के सदस्य के रूप में उसका नाम तुरन्त ही

दर्ज करेना प्रार ऐसे कर्मचारी की बाबत उसके पिछले संचयों को स्वीकार करके उन्हें उसके खाते में जमा करेगा।

- 6. यदि उस वर्ग के स्थापनों के लिए, जिसमें नियोजक का स्थापन धाता है, भविष्य निधि के ग्रिभिदायों की दर कर्मवारी भविष्य निधि ग्रीर परिवार पेंशन निधि ग्रिधिनियम, 1952 के ग्रिधीन बढ़ा दी जाए तो नियोजक भविष्य निधि के ग्रिभिदायों की दर समुचित रूप से बढ़ा देगा ताकि स्थापन की भविष्य निधि स्कीम के ग्रिधीन की प्रसुविधाएं उन प्रसुविधाग्रों से कम ग्रिनुकूल न हो जाएं जिनकी व्यवस्था कर्मचारी भविष्य निधि तथा परिवार पेंशन निधि ग्रिधिनियम, 1952 के ग्रिधीन है।
- 7. स्थापन भ्रपनी भविष्य निधि का संपरीक्षित तुलन पत्न हर वर्ष प्रादेशिक भविष्य निधि ग्रायुक्त को वर्थान्त के तीन मास के भीतर भेजेगा।
- 8. भविष्य निधि नियमों में कोई भी संशोधन प्रादेशिक भविष्य निधि प्रायुक्त के पूर्व प्रनुमोदन के बिना नहीं किया जायगा। जहां किसी संशोधन से कर्मचारियों के हितों पर प्रतिकूल प्रभाव पड़ता संभाव्य हो वहां केन्द्रीय भविष्य निधि प्रायुक्त, ग्रपना ग्रनुमोदन देने से पूर्व, कर्मचारियों को ग्रपना दृष्टि कोण स्पष्ट करने का युक्ति-युक्त ग्रवसर देगा।

### [सं० एस०-35014 (3)71-पी० एफ० 2]

New Delhi, the 12th July, 1971

S.O. 2926.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Door No. 2228, Mysore Bangalore Road, Channapatena have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S. 35019/52/71-PF.II.]

नई दिल्ली, 12 जोजई, 1971

का० था० 2926 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मंगलौर गणेश बीड़ी वर्क्स, डोर नं० 2228, मैसूर बंगलौर रोड, चन्नायतना नामक स्थापन से सम्बद्ध नियोजक श्रौर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाईएं;

श्राः श्रव, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रिधिनियम के उपबन्ध उक्त स्थापन को एतदद्वारा लागू करती है।

यह प्रधिसूचना 1970 की फरवरी, के प्रथम दिन को प्रवृत्त हुई समझी जायगी।

S.O. 2927.—In pursuance of clause (d) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952 the Central Government hereby appoints star H. Ghosh as a member of the Regional Committee for the State of Madhya Pradesh and makes the following amendment in the notification of the

Government of India in the late Department of Social Security No. S.O. 433, dated the 23rd January, 1965, namely:—

In the said notification for item  $\theta$ , the following item shall be substituted, namely:—

"9. Shri H. Ghosh, Vice-President, Sanyukta Khadan Mazdoor Sangh (Iron-Ore Section), Post Dally, Rajhera District, Drug (M.P.)."

[No. 12(1)/64-PF.II.]

का० आ० 2927—कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 4 के उपपैरा (1) के खण्ड (ध) के अनुसरण में केन्द्रीय सरकार एतद्द्रारा श्री एच० घोष की मध्य प्रदेश राज्य के लिए प्रादेशिक समिति का सदस्य नियुक्त करती है और भारत सरकार के भूतपूर्व समाज सुरक्षा विभाग की अधिसूचना सं० का० आ० 433, सारीख 23 जनवरी, 1965 में निम्नलिखित संगोधन करती है, अर्थात:—

उन्त भ्रश्चिसूचना में मद 9 के स्थान पर निम्नलिखित पद प्रतिस्थापित की जायेगी म्रथात:-

"9. श्री एच० घोष, उपाध्यक्ष,

संयुक्त खदान मजदूर संघ,

(लीह भ्रयस्क भ्रनुभाग) डाक्षघर डल्ली, राजेहरा,

जिला दुर्ग (मध्य प्रदेश)।"

[सं० 12(1)/64-पी० एक०-2]

S.O. 2928.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Door No. D-11-B-1-7 Mysore Nilgiri Road, Gundlupet, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019(53)/71-PF.II.]

का० आ० 2928-यत: केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मंगलीर गणेश बीड़ी वर्त्स, डोर नं० डी०-11 बी०-1-7 मैसूर नीलगिरि रोड, गुन्दल्पेट नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और परिवार पैंशन निधि आधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं।

श्रतः, श्रव, उक्त श्रधिनियम की धारा 1 की उन्धारा (4) द्वारा प्रदत्त णिक्तयों का प्रयोग करते हुए केन्द्रीय सेरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एतद् द्वारा लागू करती है।

यह म्रिधिसूचना 1970 के फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जायगी।

[सं **०** एस-35019(53)/71-पी **०** एफ **०** 2]

S.O. 2929.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Voder Bettu, Moolky, South Kanara, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019(57)/71-PF.IL]

का॰ आ॰ 2929—याः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मालौर गणेश बीड़ी वर्क्स, बोदर बेट्टू मुल्कि साउथ कनारा नामक स्थापन से सम्बद्ध नियोजक श्रौर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि श्रौर परिवार पेशन निधि श्रिधिनयम, 195'2 (1952 का 19) के उपबन्ध उक्त स्थापन को लागु किए जाने चाहिएं ;

श्राः, श्रवः, अवः श्रीधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त सक्तियों का प्रयोग करते हए केन्द्रीय सरकार उक्त श्रीधिनियम के उपबन्ध उक्त स्थापन को एतदृद्वारा लागू करती है।

यह ग्रधिसूचना 1970 के फरवरी, के प्रथम दिन को प्रवृत्त हुई समझी जायगी।

[सं ० एस ०-35019(5,7)/71-पी ० एफ ० 2]

S.O. 2930.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Door No. 1, Yadavlar East Street, Mellapappayam, Tirunelveli, have agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019(46)/71-PF.II.]

का ० था ० 2930—यत. केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मंगलौर गणेश बोड़ी वर्क्स, डोर नं ० 1, यादवलर ईस्ट स्ट्रीट, मेल्लापल्लयम, तिरुनेलवेली, नामक स्थापन से सम्बद्ध नियोजक ग्रौर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि ग्रौर परिवार पेंगन निधि ग्रिधिनियम, 1952, (1952 का 19) के उपबन्ध उक्त स्थापन को सागू किए जाने चाहिएं;

श्रतः श्रव, उक्त श्रधिनियम की धारा 1 की धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एतव्द्वारा लागू करती है।

यह अधिसूचना 1970 के फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जायगी।

[सं० एस ०-35019(46)/71-पी० एफ ० 2]

S.O. 2931.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Ganesh Bagh, Bajai Mangalore, South Kanara, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment:

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019(39)/71-PF.II.]

का ० थ्रा ० ?931---यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मंगलौर गणेश बीड़ी वर्क्स गणेश बाग, बजाई, मंगलौर, दक्षिण कनारा नामक स्थापन से सम्बद्ध नियोजक श्रौर कर्मचारियों की बहुसख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि श्रौर कुटुम्ब पेंशन निधि ग्रीधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

श्रतः, श्रव, उना श्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त भक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है:

यह अधिसूचना 1970 फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जायगी।

S.O. 2932.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Rama Devara Gudi Street, Kolar have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment:

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019/55/71-PF.II]

का० ग्रा॰ 293:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स मंगलोर गणेश बीड़ी वर्क्स, रामा देवरा गुड़ी स्ट्रीट, कोलार नामक स्थापन से सम्बद्ध नियोजक ग्रौर कर्मचारियो की बहुसंख्या इस धात पर ससमत हो गई है कि कर्मचारी भविष्य निधि ग्रौर कुटुम्ब पेंशन निधि ग्रिधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागु किए जाने चाहिए;

श्रतः श्रव, उक्त श्रधिनियम की धारा 1 की उपधारा (4)द्वारा प्रदत्त पवितयों का प्रयोग करहे द्वुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबंध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह भ्रधिसूचना 1970 की फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं ०एस ०-3501 ह (55) / 7 ान्यो० एफ ०-2]

S.O. 2933.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Gear Sales Corporation, Elve Chambers, Green Street, Fort Bombay-1 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of July 1970.

[No. S. 35017/13/71-PF, II.]

का० आ० 2930—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेस्स िगयर सेल्स कार-पोरेशनस, एत्वे चेम्बर्स, ग्रीन स्ट्रीट, फोर्ट, बम्बई-1 नामक स्थापन से सम्बद्ध नियोजक श्रीर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भिवष्य निधि श्रीर कुटुम्ब पेंशन निधि श्रीधिनियम, 1952 (1952 को 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

स्रतः, सब, उक्त स्रधिनियम की धारा । क्षी उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हिए केन्द्रीय सरकार उक्त स्रधिनियम के उपबन्ध उक्त स्थापन को एतवृद्वारा लागू करती है।

यह भ्रधिसुचना 1970 की जुनाई के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं॰ एस॰-35017(13)/71-गि॰ एफ॰-2]

S.O. 2934.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore, Ganesh Beedi Works, 1280 "Annapurna Nilyaya"; State Bank of Mysore Road, Kunigal, Tumkur District; Mysore State; have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019(59)/71-PF. II.]

का० मा० 2934—पतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स मंगलीर गणेस बीड़ी वर्क्स, 1280 अन्तपूर्णा निलय स्टेट बैंक श्राफ मैसूर रोड़, कुनिगल, तुमकर जिला, मसूर राज्य नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्ने जारी भविष्य निधि और कुटुम्ब पेंशन निधि श्रिधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

भ्रतः, श्रब, उक्त भ्रधिनियम की धारा। की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त भ्रधिनियम के उपबन्ध उक्त स्थापन को एतद् द्वारा लागू करती है।

यह श्रधिसुचना, 1970 की फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएंगी।

[सं० एस०- 35019 (59)/71-पी० एफ०-2]

S.O. 2935.—Whereas Messrs Mather and Platt Limited Hamilton House, 8, Graham Road, Ballard Estate, Bombay (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952);

And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to the employees therein than those specified in section 6 of the said Act, and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred by clause (a) of subsection (1) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme and in pursuance of sub-section (3) of the said section 17, the Central Government hereby directs that,—

- (a) the employer in relation to the said establishment shall pay within fifteen days of the close of the month to the Employees' Provident Fund, inspection charges at the rate of 0.09 per cent (zero point zero nine per cent) of the pay (basic wages, dearness allowance, retaining allowance, if any and cash value of food concession admissible thereon) for the time being payable to the employees of the said establishment who would have become members under the said Scheme but for this exemption;
- (b) the said employer shall invest the provident fund contributions in accordance with the directions issued by the Central Government from time to time.

### The Schedule

- 1. The employer shall submit such returns to the Regional Provident Fund Commissioner as the Central Government may, from time to time, prescribe.
- The employer shall furnish to each employee an Annual Statement of Account or Pass Book.
- 3. All expenses involved in the administration of the Fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations, payment of inspection charges etc., shall be borne by the employer.
- 4. The employer shall display on the Notice Board of the establishment a copy of the rules of the Fund as approved by the appropriate Government and as and when amended alongwith a translation of the salient points thereof in the language of the majority of the employees.
- 5. Where an employee who is already member of the Employees' Provident Fund (Statutory Fund) of the Provident Fund of another exempted establishment is employed in his establishment, the employer shall immediately enrol him as a member of the Fund of the establishment, and accept the past accumulations in respect of such employee and credit to his account.
- 6. The employer shall enhance the rate of provident fund contribution appropriately if the rate of provident fund contributions for the class of establishments in which his establishment falls is enhanced under the Employees' Provident Fund and Family Pension Fund Act, 1952 so that the benefits under the provident rund Scheme of the establishment shall not become less favourable than the benefit provided under the Employees' Provident Funds and Family Pension Fund Act, 1952.
- 7. The establishment shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner within 3 months of the close of the year.

8. No smendment of the rules of the provident fund shall be made without the previous approval of the Central Provident Fund Commissioner. Where any amendment is likely to affect adversely the interests of the employee, the Central Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[No. 11/44/70-PF. II.]

का० आ० 2935—यतः मैसर्स मैथर एंड प्लाट लिमिटेड, हेमिल्टन हाउस, 8 ग्राहम रोड़ बैलार्ड एस्टेट, बम्बई-1 (जिसे इसमें इसके पण्यात उक्त स्थापन कहा गया है)ने कमंचारी भविष्य निधि ग्रीर परिवार पणन निधि ग्रीधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पण्यात उक्त ग्रीधिनियम कहां गया है) की धारा 17 की उपधारा (।) के खंड (क) के ग्राबीन छुट देने के लिए ग्रीवेदन किया है

श्रीर यतः केन्द्रीय सरकार की राय में श्रभिदाय की दरों की बाबत उक्त स्थापन के भविष्य निधि नियम उसके कर्मचारियों के लिए उन नियमों से कम अनुकूल नहीं है जो उक्त श्रधिनियम की धारा 6 में विनिधिष्ट है, श्रीर कर्मचारी भविष्य निधि को प्रसुविधाए भी पा रहे हैं जो कर्मचारियों के लिए कुल मिलाकर उन प्रसुविधाशों से कम अनुकूल नहीं हैं, जो, उसी प्रकार के किसी अन्य स्थापन के कर्मचारियों के सम्बन्ध में, उक्त श्रधिनियम के श्रधीन श्रीर कर्मचारी भविष्य निधि स्कीम, 1952 (जिसे इसमें इसके पश्चाए उक्त स्कीम कहा गया है) के श्रधीन दी जाती है;

ग्रतः श्रव, उन्त श्रधिनियम को धारा 17 की उपधारा (1) के खण्ड (क) द्वारा श्रदत्त शिवतयों का प्रयोग करते हुए और इससे उपावद्ध अनुसूची में विनिर्विष्ट शर्ती के श्रधीन रहते हुए, केन्द्रीय सरकार उका स्थापन को उन्त स्कीम के सभी उपवंधों के प्रवर्तन से एतव्द्वारा छुट देती है और धारा 17 की उपधारा (3) के अनुसरण में केन्द्रीय सरकार एतद्द्वारा निदेश देती है कि —

- (क) उक्त स्थापन से सम्बद्ध नियोजक उक्त स्थापन के उन कर्मकारियों को, जो, यदि यह छूट न दी गई होती तो, उक्त स्कीम के प्रधीन सदस्य हो गए होते, तत्समय दे अ वेतन के (माबारित मजदूरी, मंहगाई भत्ता, प्रतिष्ठारण भता, यदि कोई हो, ग्रीर उस पर प्रतुत्रीय खाद्य रियायत का नकद मूल्य) 0.09 (भून्य दशमलव भून्य नी) प्रतिशत्त को दर से निरीक्षणन्प्रभार मासान्त के पन्द्रह दिन के भीतर कर्मचारी भविष्य निधि को देगा;
- (ख) उक्त नियोजक भविष्य निधि श्रभिदायों को, केन्द्रीय सरकार द्वारा समय समय पर निकालों गये निदेशों के श्रनुसार, विनिहिस करेगा —

### **ब**न्सूची

- नियोजक प्रादेशिक भविष्य निधि श्रायुक्त को वे विवरणियां भेजेगा जिन्हें केन्द्रीय सरकार समय समय पर विहित करे।
- 2. नियोजक प्रत्येक कर्मचारी को वर्षियक लेखा विवरण या पास बुक भेजेगा।
- 3. निधि के प्रणासन , जिसमें लेखाग्रों का बनाए रखना, लेखाग्रों श्रौर विवरणियों का भेजा जाना, संचयों का श्रन्तरण, निरीक्षण-प्रभारों श्रादि का संदाय सम्मिलत है, में श्रन्तर्व लित सभी व्ययों का वहन नियोजक द्वारा किया जाएगा ।
- 4. नियोजक समूचित सरकार द्वारा श्रनुमोदित निधि के नियमों की एक प्रति स्थापन के सूचना पट्ट पर प्रदिशित करेगा श्रीर जब कभी उनमें संशोधन किया जाएगा तब कर्मच्यारियों की बहुसंख्या की भाषा में उसकी मुख्य मुख्य बातों का श्रन्वाद भी प्रदिशित करेगा।

- 5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि (कानूनी निधि) या छूट-प्राप्त किसी ग्रन्य स्थापन की भविष्य निधि का पहले ही से सदस्य है, उसके स्थापन में नियोजित होता है तो नियोजक स्थापन की निधि के सेदस्य के रूप में उसका नाम तुरन्त ही दर्ज करेगा और ऐसे कर्मचारी की बाबत उसके पिछले संचर्या की स्वीकार करके उन्हें उसके खाते में जमा करेगा।
- 6. यदि उस वर्ग के स्थापनों के लिए, जिसमें नियोजक का स्थापन म्राता है, भविष्य निधि के म्रिभदायों की दर कर्मचारी भविष्य निधि म्रीर परिवार पेंगन निधि म्रिधिन्यम , 1952 के म्रिधीन बढ़ा दी जाय तो नियोजक भविष्य निधि के म्रिभदायों की दर समुचित रूप से बढ़ा देगा ताकि स्थापन की भविष्य निधि स्कीम के म्रिधीन की प्रसुविधांए उन प्रसुविधामों से कम ग्रिनुकूल न हो जाए जिनकी व्यवस्था कर्मचारी भविष्य निधि म्रीर परिवार पेंगन निधि म्रिधिनियम, 1952 के म्रिधीन है।
- 7. स्थापन अपनी भविष्य निधि का संपरीक्षित तुलन-पत्न हर वर्ष प्रावेशिक भविष्य निधि श्रायुक्त की वर्षान्त के तीन मास के भीतर भेजेगा।
- 8. भविष्य निधि नियमों में कोई भी संशोधन केन्द्रीय भविष्य निधि आयुक्त के पूर्व अनुमीदित के बिना नहीं किया जाएगा। जहां किसी संशोधन से कर्मचारियों के हितों पर प्रतिकूल प्रभाव पड़ना सभाव्य हो वहां केन्द्रीय भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व, कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

S.O. 2936.—Whereas Messrs Bombay Trading Company Private Limited, Industry House, 159, Churchgate, Reclamation, Bombay-1 (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952);

And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to the employees therein than those specified in section 6 of the said Act, and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred by clause (a) of subsection (1) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme and in pursuance of sub-section (3) of the said section 17, the Central Government hereby directs that,—

- (a) the employer in relation to the said establishment shall pay within fifteen days of the close of the month to the Employees' Provident Fund, inspection charges at the rate of 0.09 per cent (zero point zero nine per cent) of the pay (basic wages, dearness allowance, retaining allowance, if any, and cash value of food concession admissible thereon) for the time being payable to the employees of the said establishment who would have become members under the said Scheme but for this exemption;
- (b) the said employer shall invest the provident fund contributions in accordance with the directions issued by the Central Government from time to time.

#### THE SCHEDULE

- 1. The employer shall submit such returns to the Regional Provident Fund Commissioner as the Central Government may, from time to time, prescribe.
- 2. The employer shall furnish to each employee as Annual Statement of Account or Pass Book.
- 3. All expenses, involved in the administration of the Fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations, payment of inspection charges etc., shall be borne by the employer.
- 4. The employer shall display on the Notice Board of the establishment a copy of the rules of the Fund as approved by the appropriate Government and, as and when amended alongwith a translation of the salient points thereof in the language of the majority of the employees.
- 5. Where an employee who is already member of the Employees' Provident Fund (Statutory Fund) or the Provident Fund of another exempted establishment is employed in his establishment, the employer shall immediately enrol him as a member of the Fund of the establishment, and accept the past accumulations in respect of such employee and credit to his account.
- 6. The employer shall enhance the rate of provident fund contribution appropriately if the rate of provident fund contributions for the class of establishments in which his establishment falls is enhanced under the Employees' Provident Funds and Family Pension Fund Act 1952 so that the benefit under the provident fund Scheme of the establishment shall not become less favourable than the benefit provided under the Employees' Provident Funds and Family Pension Fund Act, 1952.
- 7. The establishment shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner within 3 months of the close of the year.
- 8. No amendment of the rules of the provident fund shall be made without the previous approval of the Central Provident Fund Commissioner. Where any amendment is likely to affect adversely the interests of the employee, the Central Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[No. 11/41/70-PF,II.]

का॰ प्रा॰ 2936-यत: मेसर्स मुम्बई ट्रेडिंग कम्पनी प्राईबेट, इंडस्ट्री हाऊस, चर्च गेट, रिक्लेन् मेशन, मुम्बई-1 (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि श्रीर परिवार पेंगन निधि श्रिधिनयम, 1952 (1952 का 19) (जिसे इसके पश्चात् उक्त श्रिधिनियम कहा गया है) की धारा 17 की उपधारा (1) के खण्ड (क) के श्रिधीन छूट के वैने के लिए श्रावेदन किया है; ।

ग्रीर यतः केन्द्रीय सरकार की राय में ग्राभिदाय की दरों की बाबत उक्त स्थापन के भविष्य निधि नियम उसके कर्मचारियों के लिए उन नियमों से कम ग्रनुकूल नहीं हैं जो उक्त ग्रधिनियम की धारा 6 में विनिधिष्ट हैं, ग्रीर कर्मचारी भविष्य निधि की ग्रन्य प्रसुविधाएं भी पा रहे हैं जो कर्मचारियों के लिए कुल मिलाकर उसे प्रसुविधाग्रों से कम ग्रनुकल नहीं हैं, जो, उसी प्रकार के किसी ग्रन्य स्थापन के कर्मचारियों के सम्बन्ध में, उक्त ग्रधिनियम के ग्रधीन ग्रीर कर्मचारी भविष्य निधि स्कीम, 1952 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के ग्रधीन दी जाती है;

ग्रतः ग्रव, उक्त ग्रधिनियम की धारा 17 की उपधारा (।) के खण्ड (क) द्वारा प्रदत्त गिक्तियों का प्रयोग करते हुए ग्रीर इससे उपावद्ध श्रनुसूची में विनिर्दिष्ट गर्ती के मधीन रहते हुए,केन्द्रीय सरकार उक्त स्थापन की उक्त स्कीम के सभी उपवन्धों के प्रवर्तन से एतद्द्वारा छूट देती है श्रीर उक्त धारा 17 की उपधारा (3) के श्रनुसरण में केन्द्रीय सरकार एतद्द्वारा निदेश देती है कि :——

- (क) उन्त स्थापन के सम्बद्ध नियोजक उन्त स्थापन के उन कर्मचारियों को, जो, यि यह छूट न दी गई होती तो, उन्त स्कीम के श्रधीन सदस्य हो गए होते, तत्समय देय वेतन के (श्राधारिक मजदूरी, मंहगाई भला, प्रतिधारण भला, यि कोई हो, श्रौर उस पर श्रनुक्षेय खाद्य रियायत का नकद मूल्य) 0.09 (णून्य दशमलव शून्य) प्रतिशत की घर से निरीक्षण-प्रभार मासान्त के पन्त्रह दिन के भीतर कर्मधारी भविष्य को देगा;
- (ख) उनत नियोनक भविष्य निधि श्रिभिदायों को, केन्द्रीय सरकार द्वारा समय-समय पर निकाले गए निदेशों के श्रनसार, विनिष्टित करेगा।

### ग्रनुसूची

- 1 नियोजक प्रादेशिक भविष्य निधि भ्रायूक्त को वे विवरणियां भेजेगा जिन्हें केन्द्रीय सरकार समय समय पर विहित करे ।
- 2 नियोजन प्रत्येक कर्मचारी को वार्षिक लेखाविवरण या पास बुक भेजेगा।
- 3 निधि के प्रशासन जिसमें लेखाश्रों का बनाए रखना लेखाश्रों श्रौर विवरणियों का भेजा जाना संचयों का श्रन्तरण निरीक्षण श्रभारों श्रादि का संदाय सम्मिलित हैं में श्रन्तेद~ लित सभी व्ययों का वहन नियोजक हारा किया जाएगा ।
- 4 नियोजक समुचित सरकार द्वारा धनुमोदित निधि के नियमों की एक प्रति स्थापन के सूचना पट्ट पर प्रदिश्ति करेगा ध्रौर जब कभी भी उनमें संशोधन किया जाएगा तब कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य मुख्य बातों का धनुबाद भी प्रदिशित करेगा ।
- 5 यदि कोई ऐसा कर्म चारी जो कर्म चारी भविष्य निधि (कानूनी निधि) या छूट प्राप्त किसी ग्रन्य स्थापन की भविष्य निधि का पहले ही से सदस्य है उसके स्थापन में नियोजित होता है तो नियोजक स्थापन की निधि के सदस्य के रूप में उसका नाम तुरन्त ही वर्ज करेगा ग्रीर ऐसे कर्म चारी की बाबत उसके पिछले संचयों को स्वीकार करके उन्हें उसके खाते में जमा करेगा।
- 6 यवि उस वर्ग के स्थापनों के लिए, जिसमें नियोजक का स्थापन श्राता है, भविष्य निधि के श्रिभदायों की दर कर्मचारी भविष्य निधि श्रीर परिवार पेंशन निधि श्रिधिनयम 1952 के श्रधीन बढ़ा दी जाएगी तो नियोजक भविष्य निधि के श्रभिदायों की दर समुचित रूप से बढ़ा देगा ताकि स्थापन की भविष्य निधि स्कीम के श्रधीन की प्रसुविधाएं उन प्रसुविधाओं से कम श्रनकूल न हो जाएं जिनकी व्यवस्था कर्मचारी भविष्य निधि श्रीर परिवार पेंशन निधि श्रिधिनयम 1952 के श्रधीन है।
- 7 स्थापन श्रपनी भविष्य निधि का संपरीक्षित सुलमपत्न हर वर्ष प्रादेशिक भविष्य निधि श्रायुक्त की वर्षान्त के तीन मास के भीतर भेजेगा ।

श भविष्य निधि नियमों में कोई भी संशोधन केन्द्रीय भविष्य निधि प्राय्क्त के पूर्व प्रन्मोदन के बिना नहीं किया जाएगा। जहां किसी संशोधन से कर्मचारियों के हितों पर प्रतिकूल प्रभाव पड़ना सभाव्य हो वहां केन्द्रीय भविष्य निधि श्रायुक्त ग्रंपना ग्रनुमोदन देने से पूर्व कर्मचारियों को श्रंपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त ग्रंवसर देगा

[संख्या 11/41/70-पी० एफ० 2]

S.O. 2937.—Whereas Messrs S. K. F. Poona, Associated Bearing Company Limited, Chinchowed, Poona-19 (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952);

And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to the employees therein than those specified in section 6 of the said Act, and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred by clause (a) of subsection (1) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme and in pursuance of sub-section (3) of the said section 17, the Central Government hereby directs that,—

- (a) the employer in relation to the said establishment shall pay within fifteen days of the close of the month to the Employees' Provident Fund, inspection charges at the rate of 0.09 per cent (zero point zero nine per cent) of the pay (basic wages, dearness allowance, retaining allowance, if any, and cash value of food concession admissible thereon) for the time being payable to the employees of the said establishment who would have become members under the said Scheme but for this exemption;
- (b) the said employer shall invest the provident fund contributions in accordance with the directions issued by the Central Government from time to time.

### THE SCHEDULE

- 1. The employer shall submit such returns to the Regional Provident Fund Commissioner as the Central Government may, from time to time, prescribe.
- 2. The employer shall furnish to each employees an Annual Statement of Account or Pass Book.
- 3. All expenses involved in the administration of the Fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations, payment of inspection charges etc., shall be borne by the the employer.
- 4. The employer shall display on the Notice Board of the establishment a copy of the rules of the Fund as approved by the appropriate Government and, as and when amended alongwith a translation of the salient points thereof in the language of the majority of the employees.
- 5. Where an employee who is already member of the Employees' Provident Fund (Statutory Fund) or the Provident Fund of another exempted establishment is employed in his establishment, the employer shall immediately enrol him as a member of the Fund of the estamblishment, and accept the past accumulations in respect of such employee and credit to his account.
- 6. The employer shall enhance the rate of provident fund contribution appropriately if the rate of provident fund contributions for the class of establishments in which his establishment falls is enhanced under the Employees' Provident Funds and Family Pension Fund Act. 1952 so that the benefits under the provident fund Scheme of the establishment shall not become less favourable than the benefit provided under the Employees'

Provident Funds and Family Pension Fund Act, 1952.

- 7. The establishment shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner within 3 months of the close of the year.
- 8. No amendment of the rules of the provident fund shall be made without the previous approval of the Central Provident Fund Commissioner. Where any amendment is likely to affect adversely the interests of the employee, the Central Provident Fund Commission shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[No. 11/42/70-PF.II.]

का० गा० 2937.—यतः मेससं एस० के० एफ० पूना एसोशिएटड वियरिंग कम्पनी लिमिटेड चिन्नवाड पूना-19 ( जिसे इसमें इसके पश्चात उका स्थापन कहा गया है) न कर्मचारी भविष्य निधि श्रौर परिवार पेंशन निधि श्रिधिनियम 1952 (1952 का 19) (जिसे इसमें इसके पश्चात उक्त श्रधिनियम कहा गया है) की धारा 17 की उपधारा (1) के खण्ड (क) के श्रधीन छूट देने के लिए श्रावेदन किया है ;

श्रीर यतः केन्द्रीय सरकार की राय में श्रभिदाय की दरों की बाबत उक्त स्थापन के भविष्य निधि नियम उसके कर्म चारियों के लिए उन नियमों से कम श्रनुकूल नहीं है जो उक्त श्रधिनियम की धारा 6 में विनिर्दिष्ट हैं, श्रीर कर्म चारी भविष्य निधि को श्रन्य प्रसुविधाएं भी पा रहे हैं जो कर्म चारियों के लिए कल मिलाकर उन प्रसुविधाग्रों से कम श्रनुकूल नहीं हैं जो उसी प्रकार के किसी श्रन्य स्थापन के कर्म चारियों के सम्बन्ध में, उक्त श्रधिनियम के श्रधीन श्रीर कर्म चारी भविष्य निधि स्कीम 1952 (जिसे इसमें इसके प्रचात उक्त स्कीम कहा गया है) के श्रधीन दी जाती है;

श्रतः श्रब उक्त श्रधिनियम की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्रौर इससे उपाबद्ध श्रनुसूची में विनिर्दिष्ट शर्तों के श्रधीन रहते हुए केन्द्रीय सरकार उक्त स्थापन को उक्त स्कीम के सभी उपवन्धों के प्रवर्तन से एतद्द्वारा छूट देती है श्रौर उक्त धारा 17 की उपधारा (3), के श्रनुसरण में केन्द्रीय सरकार एतद्द्वारा निर्देश देती है कि :---

- (क) उक्त स्थापन से सम्बद्ध नियोजक उक्त स्थापन के उन कर्मचारियों को, जो, यिद यह छूट न दी गई होती तो उका स्कीम के श्रधीन सवस्य हो गए होते तरसम देय बेतन के (श्रधारिक मजदूरी मंहगाई भत्ता प्रतिधारण भत्ता यदि कोई हो श्रीर उस पर श्रनुजेय खाद्य रियायत का नकद मूल्य) 0.09 (शून्य वशमलय शूप नौ) प्रतिशत की दर से निरीक्षण-प्रभार मासान्त के पन्त्रह दिन के भीतर कर्मचार भविष्य निधि को देगा;
- (ख) उक्त नियोजक भविष्य निधि ग्रिभिदायों को केन्द्रीय सरकार द्वारा समय-समय पर निकाल गए निदेशों के ग्रनुसार विनिहित करेगा।

### भ्रनुसूची

- नियोजक प्रादेशिक भविष्य निधि श्रायुक्त को वे विवरणितां भेजेंगा जिन्हें केन्द्रीय सरकार समय-समय पर विहित करे।
- 2. नियोजक प्रत्येक कर्मचारी को वार्षिक लेखा विवरण या पास बुक भेजेगा ।

- 3. निधि के प्रशासन जिसमें लेखाओं का बनाए रखना, लेखायो धौर विवरणियों का भेजा जाना, संचायों का श्रन्तरणः निरीक्षण प्रभारों ग्रादि का संदाय सम्मिलित है. में श्रन्तवर्िलत सभी व्ययों का वहन नियोजक द्वारा किया जायगा।
- 4 नियोजक समित्रत सरकार द्वारा श्रनमोदित निधि के नियमों की एक प्रति स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा श्रौर जब कभी उनमें संशोधन किया जाएगा तब कर्मचारियों की बहसंख्या की भाषा मे उसकी मुख्य मख्य बातों का भ्रनवाद भी प्रदर्शित करेगा ।
- 5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि (कानन निधि) या छट-प्राप्त किसी भ्रन्य स्थापन की भविष्य निधि का पहले ही से सदस्य है, उसके स्थापन में नियोजित होता है तो नियोजक स्थापन की निधि के सदस्य के रूप में उसका नाम तूरन्त ही दर्ज करेगा श्रौर ऐसे कर्नचारी की बाबत उसके पिछले संचयों को स्वीकार करके उन्हें उसके खाते मे जमा करेगा।
- यदि उस वर्ग के स्थापनों के लिए जिसमें नियोजक का स्थापन श्राता है भविष्य निधि के ग्रभिदायों की दर कर्मचारी भविष्य निधि और परिवार पेंशन निधि श्रधिनियम. 1952 के प्रधीन बढ़ा दी जाय तो नियोजक भविष्य निधि भौर परिवार निधि के ग्रिभि-दायों की दर समिचत रूप से बढ़ा देगा तािक स्थापन की भविष्य निधि स्कीम के श्रधीन की प्रसुविधाएं उन प्रसुविधान्त्रों से कम भनकुल न हो जाए जिनकी व्यवस्था कर्म चारी भविष्य निधि ग्रौर परिवार पेंशन निधि ग्रिधिनियम, 1952 के ग्रिधीन है
- 7. स्थापन ग्रपनी भविष्य निधि का संपरीक्षित तुलन पन्न हर वर्ष प्रादेशिक भविष्य निधि श्रायक्त को वर्षान्त के तीन मास के भीतर भेजेगा ।
- 8. भविष्य निधि नियमों मे कोई भी संशोधन केन्द्रीय भविष्य निधि श्रायक्त के पूर्व श्रन मोदन के बिना नही किया जाएगा । जहा किसी संशोधन से कर्म चारियों के हितो पर प्रतिकृत प्रभाव पडना संभाव्य हो वहा केन्द्रीय भविष्य निधि श्रायक्त श्रपना भ्रनुमोदन देने से पूर्व कर्मचारियों को भ्रपना दृष्टिकोण स्पष्ट करने का याक्तिय क्त भ्रवसर देगा ।

[स॰/11/42/70-पी॰ एफ॰ 2]

S.O. 2938.—Whereas it appears to the Central Government that the employer nd the majority of the employees in relation to the establishment known as mlessrs. Mangalore Ganesh Beedi Works, Door No. 165/2, Sri Bijaya Laxmi Bhavan, Main Road, Sira Tumkur District, Mysore State have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019(58)/71-PF.IL]

का ब्हा 2938 -- यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मंगलौर गणेश बीड़ी बक्सं, डोर नं 165/2, श्री विजय लक्ष्मी भवन, मेन रोड, सिरा दुमकर, जिला मैसूर राज्य नामक स्थापनसे सम्बद्ध नियोजक श्रौर क्षमेंचारियों की बहसंख्या इस बात पर सहमत हो गई

है कि कर्मचारी भविष्य निधि श्रौर परिवार पेंशन िधि श्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ;

ग्रा: , श्रव उक् । अधिनियम की धारा । की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद द्वारा लागू करती है।

यह अधिभूषना 1970 के फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

S.O. 2939—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Delux Auto Accessor es. 266, Charni Road, Opposite Central Cinema, Bombay-4 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment:

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of September, 1970.

[No. S. 35017/7/71-PF.II.]

का० ग्रा० 19:19 — यत. केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डीलक्स प्राटो ऐक्से-गरीज 266-चरनी रोड, सेन्ट्रल सिनेमा के सामने, मुम्बई-4 नामक स्थापन से सम्बद्ध नियोजक ग्रीर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि ग्रीर कुटुम्ब पेंगन निधि ग्रीधिनियम, 1952 1952 का 19) के उपबन्ध उक्त स्थापन को लागु किए जाने चाहिए।

श्राः, श्रव उक्त श्रधिनियम की धारा 1 की उपधारा (4) हारा प्रदत्त शस्तियों का प्रयोग करते हुए केन्द्रीय सन्कार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एतद हारा लागु करती है।

यह अधिसूचना 1970 के सितम्बर के तीसवें दिन को प्रवृत्त हुई समझी जाएगी।

S.O. 2940.—Whereas it appears to the Central Goernment that the employer and the majority of the employees in relation to the establishment known as Messrs West Bengal State Federation of Whole Sale Consumers' Co-operative Societies Limited, P-1, Hide Lane, Akbar Mansion, 3rd Floor, Calcutta-12 have agreed that the provisions of the Employees' Provident Funds Act and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the sald establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 28th February, 1970.

[No. S. 35018(17)/71-PF,IL]

का॰ ग्रा॰ १४० — यहः केन्द्रीय सरकार की यह प्रतीत होना है कि मसर्स वेस्ट बंगाल स्टेट फेडरेशन श्राफहोल सेल कन्ज्यूमर्स को श्रापरेटिय सोसाइटीज लिमिटेड, पी—1 हाइड लेन, श्रकबर मेन्सन, तीसरी मंजिल, कलकत्ता, 12 नामक स्थापन से सम्बद्ध नियोजक श्रौर कर्मचारियों की बहू—संख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि श्रौर कुटुम्ब पेंशन निधि श्रिधिनियम. 1952 (1952 का 19) के उपवन्ध उक्त स्थापन को लागू किए जाने चाहिए

श्रतः, श्रव, उक्त श्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एसद द्वारा 28 फरवरी, 1970 में लागू करती है।

[सं० एस०-350/8(17)/71-पी० एफ०-2]

S.O. 2941.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Kabaka, South Kanara, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S. 35019(35)/71-PF. II.]

का० थ्रा० 2941 — यतः केन्द्रीय सरकार को यह प्रतीस होता है कि में ससं मंगलीरगणेश बीड़ी वर्क्स किवाका, साउप कनारा, नामक स्थापन से सम्बद्ध नियोजक श्रीर कर्मचारियों की बहु-संख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि श्रीर कुटुम्ब पेंगन निधि श्रीधनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

भी भिंश्वतः, प्रव, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त गक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपवन्ध्री उक्त स्थापन को एतर द्वारा लागू करती है।

यह श्रधिसूचना 1970 की फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(35)/71-पी० एफ०-2]

S.O. 2942.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Makam Gurappa Setty's Choutlry, Shrini Road, Tumkur, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S. 35019(51)/71-PF, II.]

का ० थ्रा ० 2942.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स मंगलौर गणेश बीड़ी, वर्क्स, मकाम गुरप्पा सेट्टरीज चौल्ट्री, श्रीनी रोड़, तुमकर नामक स्थापन से सम्बन्ध नियोजक भौर कर्मचारियों की बहु संख्या इस बात पर महमत हो गई है कि कर्मचारी भविष्य निधि ग्रीर परिवार गंगन निधि ग्रीधिनयम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने

जा.. पा, उना पश्चितिमम की प्रारा 1 की उपधारा (4) मारा प्रदल शक्तियों का प्रयोग करते इंग्रेस्ट्रोप साफार जान प्रितिमम के उपवन्त्र उना स्थापन की एतदद्वारा लागू करती है :

यह अधिमूचना 1970 के फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[मं ० एस०-35019(51)/71-पी० एफ०-2]

S.O. 2943.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment, known as Messrs Mangalore Ganesh Bædi Works, Stores and Supplies Office, Ganesh Bagh, Bijai, Mangalore 4 South Kanara have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

INo. S. 35019(37)/71-PF, II.7

का ० आ ० 2943.—यत: केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स मंगलौर गणेश बीड़ी वर्क्स, स्टोर्स, एण्ड सप्लाइज श्राफिस, गणेश बाग, विजय, मंगलौर 4, साज्य कनारा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्म- हारी भित्रप्य निधि श्रौर कुटुम्ब पेंशन निधि श्रीधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन, को लागू किए जाने चाहिएं;

भत: अब, उक्त श्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एतद द्वारा लागू करती है?

यह प्रधिस्चना 1970 की फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी?

[सं ० एस०-35019(37)/71-पी ० एफ०-2]

S.O. 2944.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Upinangady, South Kanara, ave agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

.. [No. S. 35019(44)/71-PF, II.]

का ० थ्रा ० 2944----यतः केन्द्रीय संरकार को यह प्रतीत होता है कि मैसर्स मंगलौर गणेण बीड़ी वर्क्स, उपितनगडी, साउथ कनारा नामक स्थापन से सम्बद्ध नियोजक श्रौर कर्मचारियों को षहु-संख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि श्रौर परिवार पेंशन निधि श्रीधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं;

त्रतः, श्रव, उक्त ग्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का योग करते हुए केन्द्रीय सरकार उक्त ग्रधिनियम के उपबन्ध उक्त स्थापन को एतद द्वारा लागू करती है ?

यह प्रधिसुचना 1970 के फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(44)/71-पी०एफ०-2]

S.O. 2945.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Work. Heggunda, Via Thyamgondlu, Nelamangala, Bangalore District, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019/60/71/PF-II.]

का ० था० 29 15.— यतः देल्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स मंगलीर गणेण बीड़ी वर्क्स, ह्रेगुण्डा भाया थायाम गोण्ड तु, नेलामंग वा, बगलीर जिला काम स्थापन से सम्बद्ध नियोजक श्रीर में बारियों की बहुसंख्या इस बात पर महमत हो गई है कि कर्मवारी भिक्षि किथि और कुटुम्ब पेंगा। निधि श्रिजित्यम, 1952 (1952 का 19) के उपवन्त्र उका स्थापन को नागू किथे जाने बाहिएं;

श्रवः , श्रवः , अवतः अधिनियम की धारा 1 की उपधारा (4) द्वाराप्रदत्तः शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उका श्रिधितयम के उपबन्ध उक्त स्थापन को एतद द्वारा लागू करती है।

यह अधिसूचना 1970 की फरवरी के प्रथम दिन को प्रशृत्त हुई समझी जाएगी।

S.O. 2946.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Mossrs The Nawn Fstates (Private) Limited, 7, Bipin Behari Ganguly Street, Calcutta-12 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of February, 1969.

[No. S-35018(10)/71-PF, II.]

का० भ्रा० 2946.— नतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेससं दी नान ऐस्टैंट (प्राइवेट) लिमिटेड, 7-बिपिन बिहारी गांगुली स्ट्रीट, कलकत्ता-12 नामक स्थापन से सम्बद्ध ियोजक भीर कर्म चारियों की बहुमंख्या इस बात पर सहमत हो गई है कि कर्म चारी भविष्य जिल्य श्रीर कुटुम्ब पेंशन निधि श्रिधिनियम 19 52 (19 52 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

श्रतः, श्रव, उक्त, श्रिधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शिक्तियों का प्रयोग करते हुए किन्द्रीय सरकार उक्त श्रिधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

ह प्रधिसूचना 1969 के विसम्बर के इकत्तीसवेंदिन को प्रवृत्त हुई समझी जाएगी। [सं० एस०-35018(10)/71~पी०एफ०2] S.O. 2947.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Progressive Exhibitors and Distributors, Tilak Nagar, No. 1, Chembur, Bombay-71, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of September, 1970.

[No. S-35018(10)/71-PF, II.]

का० ग्रा० 2947.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेथर्स प्रोग्नेसिव एक जीविटिस एंड डिस्ट्री व्यटर्स, तिलक नगर नं० 1, चैम्ब्र्र, मुम्बई-71 नामक स्थापन से सम्बद्ध नियोजक ग्रीर कर्मचारियों की बहुमंख्या इप बात पर सहमत हो गई है कि कर्मचारियों भी बखुमंख्या इप बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि ग्रीर कुट्म्ब पेंशन निधि ग्रीधि (यम, 1952 (1052 का 19) के उपबन्ध उक्त स्थान को लागू किए जाने चाहिएं;

श्रतः, श्रव, उक्त श्रधिनियम की धारा 1 की उपघारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उव: श्रधिनियम के उपवन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह ग्रिधिसूचना 1570 के सितम्बर के तीसवें दिन को प्रवृत्त हुई समझो जायशी।

[सं० एस०-35017(18) 71-पी० एफ० 2]

S.O. 2948.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Nylop Plastic Industries, 139-M. Nagaindas Road, Fort, Bombay-1, including Works at Mittal Industrial Estate, J. B. Nagar, 84-M, Visaerji Road, Bembay-59, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of April 1970.

[No. S-35017/11/71/PF-II.]

का० आ० 2948.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैंसर्सं नाइलोप्लास्टिक इंडस्ट्रीज, 139 एम, नगेनदास रोड, फोर्ट, मुम्बई—1 जिसमें मित्तल इंडस्ट्रियल एस्टेड, जे० बी० नगर, एम विश्वनजी रोड, मुम्बई—53 का संकर्म सम्मिलित है, नामक स्थापना से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंजन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं:

भ्रतः, भ्रब, उक्त श्रधिनियम की धारा 1 की अपधारा (4) द्वारा प्रदत्त शक्तियो का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एत्द्वारा लागू करती है।

यह अधिसूचना 1970को 30 अपँल को प्रवृत हुई समझी जाएगी।

S.O. 2949.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Continental Steel Corporation, 82—86, Abdul Rehman Street, Post Box No. 3168, Bombay-3 have agreed that the provisions of the 'Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment:

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on thirty first day of October, 1970.

[No. S.35017(10)/71-PF-II.]

का० था० 2949.— यतः कन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कान्टीनेन्टल स्टील कारपोरेशन, 82-86, श्रब्युल रहमान स्ट्रीट, पोस्ट बाक्स संख्या 3168, अम्बई,-3 नामक स्थापन से सम्बद्ध नियोजकः श्रीर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि श्रीरकुट्म्ब पेंशन निधि श्रिष्ठिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

श्रतः, श्रवः, उक्तः श्रधिनियमं की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्तः स्थापन को एत्दुवारा लाग् करती है।

यह प्रश्चिस्भना 1970 के प्रक्टूबर, के इकतीसमें दिन को प्रवृत्त हुई समझी जाएगी।

S.O. 2950.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Anand Udoyog Private Limited, 168, Swastic Industrial Estate, C.S.T. Road, Kalina, Bombay-29 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1970.

[No. S-35017/14/71-PF, II.]

कि का० 2950.— यस: केन्द्रीय सरकार को यह प्रतीस होता है कि मैसर्स आनन्द उद्योग प्राइवेट लिमिटेड, 168 स्वासिक इन्डिस्ट्रियल ऐस्टेट, सी० एस० टी० रोड, किलिनी वम्बई—29 नामक स्थापन से सम्बद्ध नियोजक श्रीर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि श्रीर कुटुम्ब पेंशन श्रधिनियम, 1952 (1952 का 19) के उपबन्ध जन्त स्थापन को लागू किये जाने चाहिए;

श्रतः, श्रव, उक्त श्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त सक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एत्दृद्वारा लागू करती है।

यह अधिसूचना 1970 के अप्रंल के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

S.O. 29\*1---Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Voder, Bettu, Moolky, South Kanara, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952, (19 of 1952), should be made applicable to the said establishment:

Now, Therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019(54)/71\_PF. II.]

का॰ आ० 2951.— यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मससें मंगलोर गणेश बीड़ी वर्क्स, फीगपेट, साउथ कतारा नामक स्थापन से सम्बद्ध नियोजक थ्रीर कर्मचारियों कीं बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भगविष्य मिधि द्वीर परिवार पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

श्रतः, श्रव उक्त अधिनियम की धारा 1 की उपधारा (4) प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्रिश्नियम के उपबन्ध उक्त स्थापन का एत् ब्रह्मरा लागू अरती है।

यह श्रधिसूच ता 1970 के फरवरी के प्रथम दिन को प्रवृत हुई समझी जाएगी।

S.O. 2952.—In pursuance of clause (b) and (d) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints the Deputy Secretary to the Government of Punjab, Revenue Department, Chandigarh and Shri Sewa Ram, resident, Indian National Trade Union Congress. Punjab Jullunder City respectively as members of the Regional Committee for the State of Punjab and makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 4503 dated the 11th December, 1968, namely:—

In the said notification for items 2 and 9, the following items shall respectively be substituted, namely:—

- "2. The Deputy Secretary to the Government of Punjab, Revenue Department, Chandigarh."
- "9. Shri Sewa Ram, President, Indian National Trade Union Congress, Punjab, Jullunder". [No. 12(7)/62-PF. II.]

का॰ प्राः 2952.— कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 4 के उपपैरा (1) के खंड (ख) और (घ) के ध्रनुसरण में केन्द्रीय सरकार एतवृद्धारा उपसचिव, पंजाब सरकार, राजस्व विभाग, चण्डीगढ़ और श्री सेवा राम, अध्यक्ष, इंडियन नेशनल ट्रेड यूनियन कांग्रेस पंजाब, जलंधर शहर को कमशः पंजाब राज्य के लिए प्रादेशिक समिति के सदस्य नियुक्त करती है श्रीर भारत सकार के श्रम, रोजगार श्रीर पुनर्वास मंत्रालय (श्रम श्रीर रोजगार विभाग) की श्रिधसूचना संख्या का॰ श्रा॰ 3903 तारीख 11 दिसम्बर, 1968 में निम्नलिखित संशोधन करती है, श्रर्थात:—

जनत श्रधिसूचना में भद 2 श्रीर 9 के स्थान पर निम्नलिखित मदें क्रमशः प्रतिस्थापित की जाएंगी, श्रर्थात:---

"2. उपसचिव पंजाब सरकार,

राजस्य भाग, चण्डीगढ़।"

"9. श्री सेवा राम,

श्रध्यक्ष, इंडियन नेशनल ट्रेड यूनियन कांग्रेस, पंजाब , जलंधर ।''

[सं० 12(7)/62-पी० एफ० 2]

S.O. 2953.—Whereas Messrs. E. Merck (India) Private Limited, Shiv Sagar Estate "A", P.O. Box No. 16554, Annie Besant Read, Worli Bombay-18', (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952);

And Whereas in the opinion of the Central Government the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to the employees, therein than those specified in section 6 of the said Act, and the employees are also in enjoyment of other provident fund benefits which, on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Fund Scheme, 1952 hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character;

Now, therefore in exercise of the powers conferred by clause (a) of subsection (1) of section 17 of the said Act, and subject to the conditions specified in the Schedule abutexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme with effect from the 4th October 1970 and in pursuance of sub-section (3) of the said section 17, the Central Government hereby directs that,—

- (a) the employer in relation to the said establishment shall pay within fiteen days of the close of the month to the Employees' Provident Fund, inspection charges at the rate of 0.09 per cent (zero point zero nine per cent) of the pay (basic wages, dearness allowance, retaining allowance, if any, and cash value of food concession admissible thereon) for the time being payable to the employees of the said establishment who would have become members under the said Scheme but for this exemption;
- (b) the said employer shall invest the provident fund contributions in accordance with the direct one issued by the Central Government from time to time.

#### THE SCHEDULE

- 1. The employer shall submit such returns to the Regional Provident Fund Commissioner as the Central Government may, from time to time, prescribe.
- 2. The employer shall furnish to each employee an Annual Statement of Account or Pass Book,
- 3. All expenses involved in the administration of the Fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations, payment of inspection charges etc., shall be borne by the employer.
- 4. The employer shall display on the notice board of the establishment a copy of the rules of the Fund as approved by the appropriate Government and, as and when amended alongwith a translation of the salient points thereof in the language of the majority of the employees.
- 5. Where an employee who is already member of the Employees' Provident Fund (Statutory Fund) or the Provident Fund of another exempted establishment is employed in his establishment, the employer shall immediately enrol him as a member of the Fund of the establishent, and accept the past accumulations in respect of such employee and credit to his account.
- 6. The employer shall enhance the rate of provident fund contribution appropriately if the rate of Provident fund contributions for the class of establishments in which his establishment falls is enhanced under the Employees' Provident Funds and Family Pension Fund Act, 1952 so that the benefits under the Provident Fund Scheme of the establishment shall not become less favourable than

the benefit provided under the Employees' Provident Funds and Family Pension Fund Act. 1952.  $\epsilon$ 

- 7. The establishment shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner within 3 months of the close of the year.
- 8. No amendment of the rules of the provident fund shall be made without the previous approval of the Central Provident Fund Commissioner. Where any amendment is likely to affect adversely the interests of the employee, the Central Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[No. 11/8/69\_PF, II.]

का० था० 295 र.—श्रा: मेभर्स ई० मेर्क (इंडिया) प्राइवेट लिमिटेड शिव सागर एस्टेट 'ए' पोस्ट बाक्स सं० 16554 ऐनी बेसंट रोट, बोलीं, मुम्बई—18 (जिसे इसमें इसके पश्चात् उक्त स्थापन वहा गया है) ने कर्मचारी भविष्य निधि और परिवार पेंशन निधि श्रधिनियम, 1952 (1952 का 1-) (जिसे इनमें इसके पश्चात् उक्त श्रिपिनियम कहा गया है) की धारा 17 की उपधारा (1) के खण्ड (क) के श्रश्रीन छट देने के लिए ग्रावेदन किया है;

श्रीर यनः केन्द्रीय परकार की राय में श्रीभदाय की दरों की वाबत उक्त स्थापन के भिवष्य निधि नियम उसके कर्मचारियों के लिए उन नियमों से कम श्रनुकूल नहीं हैं जो उक्त श्रिधिनियम की धारा 6 में विनिद्दिष्ट है, श्रीर कर्मचारी भिष्य निधि की श्रन्य श्रसुिधाओं से कम अनुकूल नहीं हैं, जो, उसो प्रकार क किसी श्रन्य स्थापन के कर्मचारियों के सम्बन्ध में, उक्त श्रिधिनियम के श्रिधीन श्रीर कर्मचारी भिविष्य निधि स्कीम, 1° 52 (जिसे इसमे इसके पश्चात् उक्त स्कीम कहा गया है) के श्रिधीन दी जातों हैं

अतः श्रव, उक्त अधिनियम की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रदत मिक्तियों का प्रयोग करते हुए श्रीर इससे उपाबद्ध अनुस्ची में विनिर्दिष्ट मतों के सधीन रहते हुए, केन्द्रीय सरकार उक्त स्थापन को उक्त स्कीम के सभी उपधन्धों के प्रन्तिंग से एतद्द्वारा 4 श्रव्यूबार, 1970 से छूट देती हैं श्रीर उक्त धारा 17 की उपधारा (3) के श्रनुसरण में केन्द्रीय सरकार एतद्द्वारा निदेश देती हैं कि:—

- (क) उक्त स्थापन से सम्बद्ध नियोजक उक्त स्थापन के उन कर्मचारियों को, जो, यदि यह छूट न दी गई होती तो, उक्त स्कीम के अधीन सदस्य हो गए होते, तत्समय देय वेतन के (आधारिक मजदूरी, मंहगाई भत्ता, प्रतिधारण भता, यि कोई हो, श्रीर उस पर श्रनुक्षेय खाद्य रियायत का नकद मूल्य) 0.00 (शून्य दशमलव शून्य नौ) प्रतिशत की दर से निरीक्षणकान मासान्त के पन्द्रह दिन के भीतर कर्मचारी भविष्य निधि को देगा ;
- (ख) उक्त नियोजक भविष्य भिधि श्रिभिदायों, केन्द्रीय सरकार द्वारा समयन्समय पर निकाले गए निदेशों के यनुसार, विनिहित करेगा।

# श्रनुसूची

- नियो नक प्रादेशिक भित्रप्य निधि श्रायुक्त को वे विवरणियां भेजेगा जिन्हें केन्द्रीय सरकार समय-समय पर थिहित करे।
  - 2. नियोजक प्रत्येक कर्म गरी को वार्षिक लेखा-विवरण या पास बुक भेजेगा।

- 3. निधि के प्रशासन, जिसमें लेखाओं का बनाए रखना, लेखाओं भौर विधरणियों का भेजा जाना तंचयों का श्रन्तरण, निरीक्षण-प्रभारों भादि का सन्दाय सम्मिलित हैं, में श्रन्तविज्ञत सभी व्ययों का बहन नियोजक द्वारा किया जाएगा।
- 4. नियोजक समुचित सरकार द्वारा भ्रनुमोदित निधि के नियमों की एक प्रति स्थापन के सूचना-पट्ट पर प्रदिश्ति करेगा और जब कभी उनमें संशोधन किया जाएगा तब कर्मचारियों की बहसंख्या की भाषा में उसकी मध्य-मख्य बातों का भ्रनवाद भी प्रदिश्ति करेगा।
- 5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि (कानूनी निधि) या छूट-प्राप्त किसी ग्रन्य स्थापन की भविष्य निधि का पहले ही से सदस्य है, उसके स्थापन में नियोजित होता है तो नियोजिक स्थापन की निधि के सदस्य के रूप में उसका नाम तुरन्त ही दर्ज करेगा ग्रीर ऐसे कर्मचारी की बाबत उसके पिछले संचयों को स्वीकार करके उन्हें उसके खाते में जमा करेगा।
- 6. यदि उस वर्ग के स्थापनों के लिए, जिसमें नियोजक का स्थापन आता है, भविष्य निधि के अभिदायों की दर कर्मचारी भविष्य निधि ग्रोर परिवार नियोजक भविष्य निधि ग्रिधिनियम, 1952 के ग्रधीन बढ़ा दी जाए तो नियोजक भविष्य निधि के ग्रभिदायों की दर समुचित रूप से बढ़ा देगा ताकि स्थापन की श्रवधि भविष्य निधि स्कीम के ग्रधीन की प्रसुविधाओं से कम श्रनुकूल न हो जाएं जिनकी व्यवस्था कर्मचारी भविष्य निधि श्रीर परिवार पेंशन निधि श्रधिनियम, 1952 के श्रधीन है।
- 7. स्थापन अपनी भविष्य निधि का संपरीक्षित तुलन-पन्न हर वर्ष प्रादेशिक भविष्य निधि आयुक्त को, वर्षान्त के तीन मास के भीतर भेजेगा।
- 8. भविष्य निधि नियमों में कोई भी संशोधन केन्द्रीय भविष्य निधि श्रायुक्त के पूर्व श्रनुमोदन के बिना नहीं किया जाएगा। जहां किसी संशोधन से कर्मचारियों के हितों पर प्रतिकूल प्रभाव पड़ना सम्भाव्य हो वहां केन्द्रीय भविष्य निधि श्रायुक्त, श्रपना श्रनुमोदन देने से पूर्व, कर्मचारियों को श्रपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त श्रवसर देगा।

[संख्या 11/8/69-पी०एफ०2]

S.O. 2954.—In pursuance of clause (d) of sub-section (1) of section 3A of the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948 (46 of 1948) read with sub-paragraph (1) of paragraph 9 of the Coal Mines Provident Fund Scheme, the Central Government hereby appoints the Commissioner of Labour, Bihar, as a member of the Board of Trustees vice Shri Ishwari Prasad, and makes the following further amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2451 dated the 17th July, 1967, namely:—

In the said notification, from the entry against serial number 6, the following entry shall be substituted, namely:—

"The Commissioner of Labour, Bihar, Patna."

[No. 4(5)/67.PF. 1.]

का० आ० 2954. → त्यला खान भविष्य निधि स्कीम के पैरा 9 के उपपैरा (1) के साथ पठित कोयला खान भविष्य निधि और बोनस स्कीम श्रिंधनियम. 1948 (1948 का 46) की धारा 3क की उपधारा (1) के खण्ड (घ) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्रम आयुक्त, विहार

ो ी श्वरी प्रसाद के स्थान पर न्यासियों के बोर्ड सदस्य नियुक्त करती है और भारत सरकार

के श्रम, रोजगार श्रौर पुनर्वास मंत्रालय (श्रम ग्रौर रोजगार विभाग) की भ्रधिसूचना सं० का० श्रा० 2451 तारीख 17 जलाई, 1967 में निम्नलिखित श्रौर संशोधन करती है, श्रयति :---

उक्त स्रधिसूचना में, कम सं० 6 के सामने क़ी प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रति-स्थापित की जाएगी, स्रर्थात् :---

"श्रम द्रायुक्त बिहार, पटना"

[म॰ 4(5)/67-पी॰एफ॰ 1]

S.O. 2955.—Whereas it appears to the Central Government that the employ and the majority of the employees in relation to the establishment known as Messrs Aromatic and Industrial Agencies, Private Limited, 26-38 South End Road, Bangalore-20, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1970.

[No. S. 35019(31)/71-PF. II.]

का० था०. 2955.—यत केन्द्रीय सरकार को यह प्रतीत होता है कि मैससं एरोमेटिक एण्ड उन्डिस्ट्रियल एजेन्सीज, प्राइवेट लिमिटेड, 26—38 साऊथ एण्ड रोड, बंगलौर-20 नामक स्थापन से सम्बद्ध नियोजक ग्रौर कर्मचारियों की बहुसख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि ग्रौर कुटुम्ब रेशन निधि ग्रीधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए।

त्राः प्रव, उक्त प्रिवेतिका, को बारा । को उत्थारा (4) राप्रदत शक्तियों का प्रयोग करते हुए के दीय सरकार उक्त प्रिधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह प्रधिस्चना 1970 के दिसम्बर, के इकतिसवे दिन को प्रवृत हुई समझी जाएगी।

S.O. 2956.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs General Export Company, Kerala Bailers Building Willingdon Island; Cochin-3, including its Registered Office, "TAC HOUSE", Alleppey, Kerala have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, Therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 31st July 1971.

[No. 8(190)/70 PF. II.]

का॰ ग्रा॰ 2956 -यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जनरल एक्सपोर्ट कम्पनी, केरल नेलर्स बिल्डिंग, विलिगङन द्वीप, कोचीन-3 नामक स्थापन, जिसमें उसका रजिस्ट्रीकृत कार्यालय, 'दी ए सी' हाऊस'' एलेप्पी, केरल सम्मितित है, से सम्बद्ध नियोजक ग्रीर कर्मचारियो की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी मित्रिय निधि ग्रीर परिनार पैंशन निधि अधिनयम, 1952 (1952 का 19) के उपवन्ध के उक्त स्थापन को लागू किए गए जाने चाहिए:

श्रतः, श्रवः, उदतः श्रधिनियमः, की धारा 1 की उप-धारा (4) द्वारा प्रदत्त अदितयोः का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उवतः स्थापन को एतद्कारा 31 जुलाई. 197 । से लागु करती हैं :

[म ० 8 ( 190 ) / 7 0 – पी ० एफ ० ८]

S.O. 2957.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Afima Finance Corporation, Maker Bhavan. New Marine Lines, P.O. Box No. 1707, Bombay-20, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952–19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of January, 1970.

[No. S-35017/5/71PF-II]

का श्रा० 2957.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एफिया फाइनेन्स कारपोरेणन, मेकर भवन, न्यू मेरिन लाइन्स, डाकघर बावस संख्या 1707, बम्बई—20 नामक स्थापन से सम्बद्ध नियोजक श्रीर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भवित्य निधि श्रीर परिवार पेंशन निधि श्रीधिनियम, 1952 (1952 का 19) के उपबन्ध उनत स्थापन को लागु किये जाने चाहिए:

अतः, श्रव, उक्त अधिनियम, की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियो का प्रयोग करते हुए केन्द्रीय संस्कार उक्त श्रिधिनियम, के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है:

यह म्रधिसूचना 1970 की जनवरी, के इकरतीसबे दिन को प्रवत्त हुई समझी जाएगी।

S.O. 2958—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Scindia Workshop Limited P-2 Teratola Road, Calcutta-24, has agreed that the provisions of the Employees. Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, Therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into froce on the thirtieth day of September, 1969.

[No. S-35018(20)/71-PF, II]

का॰ आ॰ 3958.-यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्म सिधिया वर्कणाप लिमिटेड, पी-2 तेराटोला रोड़, कलकत्ता-24 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और परिवार पेकन निधि अधि-नियम 1952 (1952 का 19) के उपबन्ध उनत स्थापन को लागू किए जाने चाहिए

श्रतः, श्रव, उक्त अधिनियम, की धारा 1 की उपधारा (4) द्वारा प्रदत्त शिवतयो का प्रयोग करते हुए केन्द्रीय संस्कार उक्त अधिनियम, के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह प्रश्निस्चना 1969 के सितम्बर, के तीसवे दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम ०-35018(20)/71~पी० एफ**०** . ]

S.O. 2959.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vinkay Private Limited, 31/1, B.T. Road, Calcutta-2 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the whirtyfirst day of May, 1969.

[No. S-35018/8/71/PF-II.]

का० आ० 295%-स्यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दिन्के प्राइवेट लिमि-टेड, 32/1, बी ०टी ०रोड़, कलकत्ता-:: नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहु-संख्या इस बात पर सहसत हो गई है कि कर्मचारी भविष्य निधि और परिवार पेंशन निधि श्रिधिनियम 1952 (1952 को 19) के उपबन्ध जन्त स्थापन को लागू किए जाने चाहिए:

अतः, अब, उनत अधिनियम, की धारा 1 की उपधारा (4) द्वारा प्रदत्त शिवतयों का प्रयःग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उन्नत स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1969 की मई, के इकत्तीसवें दिन को प्रवृत्त हुई समझी जाएगी।

S.O. 2960.—Whereas it appears to the Contral Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mangalore Ganesh Beedi Works, Panemangalore South Kanara, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1970.

[No. S-35019/36/71/PF-II.]

का० गा०.— 2960 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मंगलोर गणेश बीड़ी वर्क्स, पानेमंगलोर, साउथ कतारा नामक स्थापन से सम्बद्ध नियोजक और कर्म कारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मकारी भविष्य निधि और कुट्मब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने ताहिए।

अतः, श्रव, उक्त श्रधिनियम की धारा 1 की उप—धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह प्रधिसूचना 1970 की फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[मं॰एस॰-35019(36)/71~पी॰एफ॰ 2]

S.O. 2961.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Commercial Properties and Merchandise Limited 135A, Biplabi Rash Behari Basu Road, Calcutta, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment,

This notification shall be deemed to have come into force on the thirtyfirst day of March, 1970.

[No. S=35018/(5)/71/PF=II.]

का॰ आ॰ 2961.—पतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कमिष्यल प्रापरटीज एण्ड मर्चन्डाइज लिमिटेड, 135—ए विपलानी रास बिहारी बासु रोड, कलकत्ता नामक स्थापन से सम्बद्ध नियोजक ग्रौर कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि श्रौर कुटुम्ब पेंगन निधि ग्रिधिनियम, 1952 (1952 का 19) के उपबन्ध उनत स्थापन को लागू किए जाने साहिए :

श्रतः, श्रव, उक्त श्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतदद्वारा लाग् करती है।

यह अधिसूचना 1970 के मार्च के इकत्तीसमें दिन को प्रवृत्त हुई समझी जाएगी।

S.O. 2962.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the lat January 1970 the establishment known as Messrs Technical Development Private Limited, 18, Government Industrial Estate, Kandivli West, Bombay 67 NB for the purposes of the said proviso.

[No. S.35017/3/71-PF. II. (ii).]

का० ग्रा॰ 2962.—कर्म वारी भविष्य निधि ग्रीर परिवार पेंशन निधि ग्रिधिनियम, 1952 (1952 का 19) की धारा 5 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में ग्रावश्यक जांच कर लेने के पश्चात् एतव्द्वारा मैसर्स टेक्नीकल डिथलपमेन्ट प्राइवेट लिमिटेड, 18 गवनंमेन्ट इंडस्ट्रीयल एस्टेट, काडिवली वेस्ट, मुम्बई—67 एन बी नामक स्थापन को प्रथम जनवरी, 1970 से उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

S.O. 2963.—Whereas it appears to the Central Government that the Employer and the majority of the employees in relation to the establishment known as Messrs Technical Development Private Limited, 18. Government Industrial Estate, Kandivli West, Bombay 67 NB have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1970.

का० ग्रा० 2963.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स टेक्नीकल डेबलप— मेन्ट प्राइवेट लिभिटेड, 18, गवर्नमेन्ट इंडस्ट्रीयल एस्टेट, काडिबली वेस्ट, मुम्बई, 67 एन बी नामक स्थापन से सम्बद्ध नियोजक ग्राँ। कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्म रारी भविष्य निधि ग्रौर परिवार पेंशन निधि ग्रिधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

श्रतः, श्रव, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त श्रविनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लाग् करती है।

यह ब्रिधिसू भना 1970 की जनवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएमी।

[स॰ एम॰-35017(3)/71-पी॰ एफ॰-2]

New Delhi, the 17th July, 1971

S.O. 2964.—In exercise of the powers conferred by section 73F of the employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the no ification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2748, dated the 2nd July 1969 the Central Government, having regard to the location of the factory namely M/s. Sastha Industries, Wadakkawcherry in the District of Trichu in the State of Kerala in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factory from the payment of employer's special con-ribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in that area, whichever is earlier.

[No. F. S-38017/17/71-HI.]

नई दिल्ली, 17 जुलाई, 1971

### ग्रविस्**च**रा

का० शा० 2964.—कर्म गरी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-व इ.रा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिमूचना मंद्र्या का० शा० 2748, तारीख 2 जुलाई, 1969ों कम में केन्द्रीय सरकार केरल राज्य के त्रिवृर जिले में कारखाने में श्रथित मैंमर्स संस्था इंडस्ट्रीज वाडक्काचेरी की जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त गही हैं, श्रवस्थित को ध्यान में रखते हुए उक्त कारखाने की उक्त अधिनियम के अध्याय 5 के प्रधीन उद्युहणीय नियोजक के विशोध प्रभिताय के संदाय से, उक्त श्रधिमृचना में िर्निदिष्ट श्रवधि की समाप्ति की तारीख में एक वर्ष की श्रवधि के लिए या तब तक के लिए जब तक कि उक्त श्रिधिनियम के श्रध्याय 5 के उपबन्ध उक्त की त्र में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतह्द्वारा छूट वेती है।

[स॰ फा॰एम॰-38017(17)/71-एच॰आई॰]

S.O. 2965—In exercise of the powers conferred by section 73F of the employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1461, dated the 8th April 1970 the Central Government having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Rajasthan in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution

leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

SI. No."	Name of Dist	rict	Name of Area.	Name of the factory
(I)	(2)		(3)	(4)
1	Bikaner		Bhichhwal	M/s. State Woollen Mills.
2	Chittorgarh	•	. Rewat-Bhata	. Rana Pratap Sagar, Dam, Hydal Power Station.
3	Dausa .	•	. Dausa	Rajasthan State Electricity Board (Distributor Sub-Division)

[N . F. 602/13-70-HI]

का॰ आ॰ 2965.— कर्मचारी राज्य बीमा प्रधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त गिक्तयों का प्रयोग करते हुए श्रीर भारत सरकार के श्रम, रोजगार श्रीर पुनर्वास मंत्रालय (श्रम श्रीर रोजगार विभाग) की श्रिधसूचना संख्या का॰ श्रा॰ 1461 तारीख 8 श्रप्रैल, 1970 के कम में केन्द्रीय सरकार इससे उपायद्व श्रमुसूची के स्तम्भ (4) में विनिर्दिष्ट कारखानों की उक्त श्रमुसूची के स्तम्भ (3) में विनिर्दिष्ट राजस्थान राज्य के ऐसे क्षेत्रों में, जिसमें उक्त श्रिधिनयम के श्रध्याय 4 श्रीर 5 के उपवन्ध प्रवृत्त नहीं हैं, श्रवस्थित को ध्यान में रखते हुए, उक्त कारखाने को उक्त श्रिधिनयम के श्रध्याय 5-क के श्रधीन उद्यहणीय नियोजक के विशेष श्रिभवाय के संदाय से, उद्य श्रिधसूचना में विनिर्दिष्ट श्रवधि की समाप्ति की तारीख से एक वर्ष की श्रवधि के लिए या तब तक के लिए जब तक कि उक्त श्रिधिनियम के श्रध्याय 5 के उपवन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतद्दारा छूट देती है।

**प्र**नुसूची

कम सं०	जिल का नाम	क्षेत्र कानाम	कारखाने का लाम
(1)	(2)	(3)	(4)
i	बीकानेर	भिछवास	मैसर्स स्टेप्ट बूलन मिल्स।
2	चि <b>त्तौ</b> ड़ गढ़	रावत–भाटा	राणा प्रताप सागर, बन्ध, हाइडल पावर स्टेशन ।
3	वौसा	दौसा	राजस्थान राज्य विद्युत बोर्ड (वितरणकर्त्ता उपमण्डल)

S.O. 2966.—In exercise of the powers conferred by section 73F of the employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2973 dated the 16th July, 1969 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Uttar Pradesh in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

SI. No.	Name of the District		Name of the Area	Name of the Factory.	
Ţ	Azamgarh			Azamgarh	Doharighat Pumped Canal.
2	Bulandsher			Chipyana	Chhabra Rolling & General Mills P.O. Chipyana, Bulandsher Road, Ghazlabad.
3	Allahabad			Mau Aima	Mau Aima Sizing Works, P.O. Mau Aima Allahabad.
4	Meerut	•	•	Barnawa Road near City Station	Metal Febs., Barnawa Road near City Station, Meerut.
				Delhi Road, Meerut.	M/s. International Rubber Works.
				Ramlila Ground Meerut,	M/s. Engineering Corporation India.
				Sardhana Road near Mecrut Cantt. Rail- way Station.	M/s. Saru Smelting Refining Corporation,

[No. F 602/14/70-HI]

### प्रधिसृष्टना

का॰ घा॰ 2966.—कर्मचारी राज्य बीमा प्रधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की श्रिष्ठसूचना संख्या का॰ ग्रा॰ 2973 तारीख 16 जुलाई, 1969 के कम में केन्द्रीय सरकार इससे उपाबद्ध अनुसूची के स्तम्भ (4) में विनिर्विष्ट कारखानों की उक्त श्रनूसूची के स्तम्भ (3) में विनिर्विष्ट उत्तर प्रदेश राज्य के एस क्षेत्रों में, जिसमें, उक्त श्रिष्ठानियम के श्रध्याय 4 और 5 के उपबन्ध प्रवृत्त नहीं हैं, श्रवस्थित को ध्यान में रखते हुए, उक्त कारखाने को उक्त श्रिष्ठानियम के श्रध्याय 5-क के श्रधीन उद्ग्रहणीय नियोज्यक के विशेष श्रभिदाय के संदाय से, उक्त श्रिष्ठसूचना में विनिर्विष्ट श्रविध की समान्ति की तारीख से एक वर्ष की श्रविध के लिए या तब तक के लिए जब तक कि उक्त ग्रिष्ठानियम के श्रध्याय 5 के उपबन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतदहारा छट देती है

प्रात	सची
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क्रम संख्या	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4)
1.	प्राजमगढ़	श्राजमगढ़	दोहारीबाट पम्पड कनाल ।
2. बुलः	न्दशहर	छिपयाना	छावरा रोलिंग एण्ड जनरल मिल्स, पो० श्राफिस छिपयाना।
3. इला	हाबाद	मऊ ऐमा	मऊ ऐमा साइजिंग वर्ग्य, पो० श्रा० मऊ ऐमा, इलाहाबाद।
4. मेरट	5	बरनात्रा रो <b>ड</b> सिटी स्टेशन के निकट	मैटल फैत्रस, बरनावा रोड, सिटो स्टेणन के निकट, मेरठ।
	•	देहली रोड, मेरठ	मैसर्स इन्टरनेशनल रखड़ वक्सं।
		रामलोला ग्राउण्ड, मेरठ	मैसर्स इंजीनियरिंग कारवीरेशन इण्डिया ।
		. सरधना रं≀ड, मेरठ छावनी रेलवे स्टेंगल के निकट	मैसर्स सरु स्मैटिंग िफाइनिंग कारपोरेशन ।

[संख्या फा॰ 602 (14) / 70-एच॰ श्राई॰]

S.O. 2967.—In exercise of the powers conferred by section 73F of the employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3726 dated the 23rd October, 1970 the Central Government having regard to the location of the factory, namely, Government Photo Litho Press, Roorkee, in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said factory from the paymen, of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 15th June, 1971 upto and inclusive of the 14th June, 1972.

[No. F. 601/15/70/HI.]

का० थ्रा० 2967.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 33-च द्वारा प्रदत्त शक्तियों का प्रयोग कन्ते हुए, और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधि एचना संख्या का० श्रा० 3726, तारीख 23 श्रक्तूबर. 1970 के क्रम में केन्द्रीय सरकार गवर्नमेन्ट फोटो लिथो प्रेस, रहकी नामक कारखाने की ऐसे क्षेत्र में, जिसमें उक्त श्रधिनियम के श्रध्याय 4 और 5 के प्रयुक्त प्रतृत्त हैं, श्रवस्थित को ध्यार में रखते हुए उक्त कारखाने को उक्त श्रधिनियम के श्रध्याय 5-क के श्रधीन उद्ग्रहणीय नियोजक के विशेष श्रमिदाय के संदाय से 15 जून, 1971 से 14 जून, 1972 तक और इस दिन को भी सम्मिलित करने हुए, एक श्रीर वर्ष की श्रवधि के लिए एतद्द्रारा छूट देती है।

[র্রত জাত ৪০1/(15)/70-ছ্বত্সার্হত]

S.O. 2968.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the Government Ayurvedic and Unani Pharmacy, Nanded, in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said Pharmacy from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year with effect from the 23rd March, 1971 upto and inclusive of the 22nd March, 1972.

[No. F. S-38014/7/71/HI.]

क ० ग्रा० 29 68.—कर्मचारी राज्य बीमा ग्रिधिनियम, 1948 (1948 का 34) की धारा 73 च यद्वारा प्रदक्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस बास को ध्यान में रखकर कि सरकारी प्रायुर्वेदिक ग्रीर यूनानी फार्मेसी, नांदेड ऐसे क्षेत्र में स्थित है जिसमें उक्त प्रधिनियम के प्रध्याय य ग्रीर 5 के उपवन्ध लागू हैं, उक्त फार्मेसी को जिशेष नियोजक ग्रिभिदाय के सैदाय से, जो उक्त ग्रिधिनियम के श्रध्याय 5क के ग्रिधीन उद्ग्रहणीय है, 1971 के 23 मार्च से लेकर 1972 के 22 मार्च, तक की एक वर्ष की श्रवधि के लिए इस द्वारा छूट देती है।

(सं० फा० एस-38014(7)।71/एच०ग्राई०)

S.O. 2969.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories specified in column (4) of the Schedule here to annexed in areas specified in column (3) of the said Schedule in the State of Kerala in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

## SCHEDULB

\$1. No,	Name of District	Name of Area	Name of the factory
I	2	3	4
I	Kottayam	Changanacherry	Messrs Tenzing Timber Corporation.
2	Palghat	Mankarai	Messrs Omgara Match Industries( Via) Lakkidi.
3	Trichur	Pottah	Messrs J. & B. Industries Vallikunnam Road, Pottah Post Office Chalakudy.

[No. F. 602/25/70/oHI]

का० भ्रा० 2969.—कर्मचारी राज्य वीमा श्रिधिनियम, 1948 (1948 का 34) की धारा 73 महारा प्रदत्त शिक्तयों का प्रयोग करते हुए केंद्रीय सरकार इससे उपाबद्ध अनुसूची के स्तम्भ (4) में विनिद्धिष्ट कारखानों की उक्त भ्रनुसूची स्तम्भ (3) में विनिद्धिष्ट केरल राज्य के ऐसे क्षेत्रों में, जिसमें उक्त श्रिधिनियम के भ्रष्टयाय 4 भीर 5 के उपवन्ध प्रवृत्त नहीं है, श्रवस्थिति की ध्यान में रखते हुए उक्त कारखाने को उक्त ग्रिधिनियम के भ्रध्याय 5-क के श्रिधीन उद्ग्रहणीय नियोजक के विशेष भ्रभिदाय के संदाय से, शासकीय राजपत्न में इस श्रिधिसूचना के प्रकाशन की तारीख से एक वर्ष की भ्रवधि के लिए या तब तक के लिए जब तक कि उक्त ग्रिधिनियम के भ्रध्याय 5 के उपवन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एसद्बारा छूट देती है।

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ऋम संख्य	ा जिलेकाना	<del>-</del> म		क्षेत्र का नाम	कारखाने का नाम	
(1)	(2)		(3)		(4)	
1	कोट्टयम			र्चगानाचेरी	मैसर्स तेलर्जिग टिम्बर कारपोरेणन ।	
2	पालघाट	•	•	मेनका रए	मैसर्स म्रोमगारा मैच इण्डस्ट्रीज (वाया) लक्किदी ।	
3	त्रिपुरा <sub>॥</sub>		٠	पोट्टा <b>स्</b>	मसर्स जे० एण्ड बी० इण्डस्ट्रीज वल्लीकुनम रोड़, पोट्टाह, पोस्ट श्राफिस, चलाकुडी ।	

# [सं० फा॰ 602 (25)/70-एच० भाई० ]

S.O. 2970.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour. Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 630 dated the 11th February, 1970 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule here to annexed in areas specified in column (3) of the said Schedule in the State of Uttar Pradesh in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of emloyer's secial contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

## SCHEDULE

Sl. No	Name of the Di	stric	Name of the A	\rea	Name of the Factory
ı	Bahralch .		Nanpara .		M's Hanuman Rice and Dal Mills.
2	Meerut, .	,	Hastinapur	-	<ol> <li>M/s. Madan Industries, P.O. Hastinapur</li> <li>M/s. Vulcanised Fibre Factory, Industrial Area Hastinapur.</li> </ol>
3	Muzaffar Nagar.		Shamli		M/s. Aurvindo Syringes Thiniore Road,
4	Varanasi	•	Industrial Estate.	•	<ol> <li>M's. Hem Electric Manufacturing Company, 28 Nandan Shah.</li> <li>M's Meghdoot Engineering Industries.</li> <li>M/s. Maleabe and Alloys Industries.</li> <li>M's.Bharat Metal Industries.</li> <li>M/s. Sukhdeo Udy of B-5 Industrial Estate.</li> </ol>

कर० आर० -: 70. धर्मचारी राज्य बीमा श्रिष्ठित्यम, 1948 (1948 का 34) की धारा 73च द्वाराप्रवत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार श्रीर पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की श्रिष्ठिसूचना संख्या का० आ० 680 तारीख 11 फरवरी 1970 के कम में केन्द्रीय सरकार इससे उपाबत अनुसूची के स्तम्भ (4) में विनिर्दिश्ट कारखानों की उक्त श्रनुसूची के स्तम्भ (3) में विनिर्दिश्ट उत्तर प्रवेश राज्य के ऐसे क्षेत्रो में, जिसमें उक्त श्रिष्ठित्यम के श्रध्याय 4 श्रीर 5 के उपवन्ध प्रवृत्त नहीं हैं, श्रवस्थित को ध्यान में रखते हुए उक्त कारखाने को उक्त श्रिष्ठित्यम के श्रध्याय 5-क के ध्रधीन उद्धित्यम में रखते हुए उक्त कारखाने को उक्त श्रिष्ठित्यम के श्रध्याय 5-क के ध्रधीन उद्धित्यम के श्रध्याय 5 के उपवन्ध श्रीष्ठित्यम के सन्दाय में, उक्त श्रिष्ठमूचना में विनिर्दिष्ट श्रविष्ठ की समाप्ति की तारीख से एक वर्ष की श्रविध के लिए या .व तक के लिए जब तक कि उक्त श्रिष्ठित्यम के श्रध्याय 5 के उपवन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतद्दारा छूट देती है।

## घनुसुची

ऋम संख्या	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4)
1	बहराइच .	. नानपारा	मैसर्स हनुमान राइस एंड दाल मिल्स ।
2	मेरठ .	. हस्तिनापुर	<ol> <li>मैसर्स, मदन इंडस्ट्रीज, पो० धा० हस्सिनापुर ।</li> <li>वलकनाइज्ब फाइबर फैक्ट्री इंडस्ट्रियल एरिया हस्ति- नापुर ।</li> </ol>
3	मुज्जफ्फर नगर	. शामली	मैसर्स ग्ररविन्द सिरिंजेज, तंजौर रोज ।
4	वाराणसी ∄ृै.	. इंडस्ट्रियल एस्टेट	<ol> <li>मैससं हम इलेक्ट्रिक मैनु- फैक्करिंग कं०, 28 नन्दन शाह</li> <li>मेससं मेषदूत इंजीनियरिंग, इण्डस्ट्रीज ।</li> <li>मैससं मालेबल एण्ड प्रलायज इण्डस्ट्रीज ।</li> <li>मैससं भारत मेटल इण्डस्ट्रीज</li> <li>बी०-5, इण्डस्ट्रीय न एस्टेट के मैससं सुखदेव उदी ।</li> </ol>

(फा० संख्या 602(14)70-एच० माई०)

S.O. 2971.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act. 1948 (34 of 1948) the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Uttar Pradesh in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazettee or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

Sl No.	Name of District	Name of Area	Name of the factory
(1)	(2)	(3)	(4)
ī	Bulandshar	Uncha Gaon ,	Messrs Agro Industries
2	Muzaffarnagar	Gangarampura.	Messrs Government Blanket Factory.
•			

[No. F. 602/14/70-HI]

का० ग्रा० 2971.—कर्म जारी राज्य बीमा श्रिष्ठित्यम, 1948 (1943 का 34) की धारा 73च द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए केन्द्रीय सरकार इससे उपावद्व अनुसूची के स्तम्भ (4) में विनिद्धिट कारखानों की उक्त अनुसूची के स्तम्भ (3) में विनिद्धिट उतर प्रदेग राज्य के ऐसे क्षेत्रों में, जिसमें उक्त श्रिष्ठित्यम के श्रव्याय 4 श्रीर 5 के उपबन्ध प्रवृत्त नहीं है, अवस्थिति को ध्यान में रखते हुए उक्त कारखाने की उक्त श्रिष्ठित्यम के श्रद्ध्याय 5 के अध्याय 5 के श्रिष्ठा प्रवृत्त के संदाय से, शासकींय राज्यत्न में इस श्रिष्ठाचना के प्रकाशन की तारीख से एक वर्ष की श्रव्याय के लिए या तब तक के लिए जब तक कि उक्त श्रिष्ठित्यम के श्रद्ध्याय 5 के उपबन्ध उन क्षेत्रों में प्रवृत्त नहीं ही जाते, जो भी पहले हो, एतद्वारा छूट देती है।

# **ग्र**न्**स्**ची

कस संख्या	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4
1	बुसन्दगहर .	. ऊंचा गांव	मैंसर्स ऐगरो इण्डस्ट्रीज ।
2	मुजफ्फर नगर	. गंगारामपुरा	मैसर्स गवर्नमेन्ट ब्लैकेट फौक्ट्री

S.O. 2972.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1442, dated the 7th April, 1970 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the tate of Uttar Pradesh in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

Sl. No.	Name of District	Name of Area	Name of the factory
(1)	(2)	(3)	(4)
1	Mathura .	Vindraban Udyog nagar.	<ul> <li>Ms Sindla Ceramic and Synthetic</li> <li>Industries.</li> <li>M/s. Raman Engineering Industries.</li> </ul>
			INO E SONIZAÇÃO VIII

[No. F. 602/14/70-HI]

का० ग्रा० 2972.—कर्म चारी राज्य बीमा श्रधिनियम, 1948 (1943 का 34) की धारा 73-च द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए श्रौर भारत सरकार के श्रम, रोजागार धौर पुनर्वास मंत्रालय (श्रम श्रौर रोजगार विभाग) की श्रिधसूचना संख्या का० ग्रा० 1442 तारीख 7 श्रप्रैल, 1970 के कम में, केन्द्रीय सरकार इससे उपाबद्ध श्रनुसूची के स्तम्भ (4) में विनिर्दिष्ट कारखानों की उक्त श्रमुची के स्तम्भ (3) में विनिर्दिष्ट उत्तर प्रदेश राज्य के ऐसे क्षेत्रों में, जिसमे उक्त श्रिधनियम के श्रध्याय 4 श्रौर 5 के उपवन्ध प्रवृत्त नहीं हैं, श्रवस्थित को ध्यान में रखते हुए उक्त कारखाने को उक्त श्रिधनियम के श्रध्याय 5-क के ग्रधीन उद्युहणीय नियोजक के विशेष श्रभिदाय के संदाय से, उक्त श्रिधसूचना में विनिर्दिष्ट श्रवधि की समाप्ति की तारीख से एक वर्ष की श्रवधि के लिए या तब तक के लिए जब तक कि उक्त श्रिधनियम के श्रध्याय 5 के उपवन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतद्दारा छूट देती है

# **प्र**तुस्ची

ऋग संख्या	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4)
1 3	मथुरा	वृन्दावन उद्योग नगर	<ol> <li>मैसर्स सिंदिया केरानिक एंड सिंथैटिक इंडस्ट्रीज</li> <li>मैसर्स रमन इन्जीनियरिंग इंडस्ट्रीज</li> </ol>

S.O. 2973.—In exercise of the powers conferred by section 73F of the Employees State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3341, dated the 14th August, 1969 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Gujarat in which the provisions of Chapters IV and V of the said Act are not in force hereby exempts, the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

Sl. No.	Name of the I	District		Name of the Area	Name of the Factory
I	Ahemedabad			Bavla  Ambli Road Station (Thultej) Bareja	M/s The Bavla Ram Vijay Cotton Ginning Factory. M/s Gujarat Iron and Steel Com- pany Limited. M/s State Transport Barcja Depor.
2	Baroda .			Sanand	M/s State Transport Sanand. M/s Apex Electricals.
3 4	B ilsar Bhavnagar	: :		**	M/s Atul Drug House Limited. M/s Navrang Tiles. M/s Dwatkadas Valii Salt Works.
	[amagar		•	Okha , I	M/s The Burmah Shell Installations M/s Kathiwar Metal and Tin Works (P) Limited. 3 M's ESSO Standard Eastern Inc. 4 M/s Carborundam Universal Limited. 5 M/s Indian Oil Corporation Limited. 6 M/s G. E., Board Okha Power House.
6	Junagadh,		•	Katiyana	Shree Hitesh Oil Mills & Ginning Factory.  M/s Union Bearing Manufacturing Co.
7	Kaira .		٠	Mehmedabad Piplag (Nadiad)  Vasad	M/s Mehmedabad Tile & Marble Co.  1. M/s Paper Cone & Bobbin Factory. 2. M/s Unique Industries. M/s Navrang Tile Co.
8 9 10	Rajkot Surendra naga Panchmahal	, . r .		Peplad (outside Municipal Limit) Upleta Muli Godhra	M/s Narottamdas Jethabhai & Co.  M/s Western India Industries.  M/s Plastisite Industries.  1. M/s Shree Gujarat Flour Mill.  2. M/s Vallabh oil Mill.

[F. No. S-3 8017 (16)/71 HI]

का० था० 2973.—कर्मचारी राज्य बीमा श्रिधितियम, 1948 (1948 का 34) की धारा 73 व द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार श्रीर पुनर्वास मंत्रालय (श्रम श्रीर रोजगार विभाग) की श्रिधिसूचना सं० का० श्रा० 8341, तारीख 14 भगस्त, 1969 के कम में केन्द्रीय सरकार इससे उपावद्व धनुसूची के स्तम्भ

(4) में निर्दिष्ट कारखानों की उक्त अनुसूची के हाम्भ (3) में विनिर्दिष्ट गुजरात राज्य के ऐसे क्षेत्रों में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त नहीं है, अवस्थिति को ध्यान में रखते हुए उक्त कारखाने को उक्त अधिनियम के अध्याय 5—क के अधीन उद्ग्रहणीय नियोजक के विशेष अभिदाय के सन्दाय से, उक्त अधिसूचना में विनिर्दिष्ट अविध की समाप्ति की तारीख से एक वर्ष की अविध के लिए या तब तक के लिए जब तक कि उक्त अधिनियम के अध्याय 5 के उपबन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतद्द्रारा छूट देती है।

# **प्रमु**ष्मी

कम संख्या	जिले का नाम	क्षेद्र कानाम	कार <b>खाने का</b> नाम
(1)	(2)	(3)	(4)
1	ग्रहमदाबाद	बावला	मैसर्स दि बावला राम विजय काटन जिप्तिंग फैक्टरी ।
		भ्रम्बली रोड स्टेशन (थुलतेज) बरेजा	मैसस गुजरात म्रायरन एण्ड स्टील कंपनी लिमिटेड । मैससैं स्टेट ट्रान्सपोर्ट बरेजा डिपो
2	वड़ीदा	सनन्द सामित्राला	मैसर्स स्टेट ट्रान्सपोर्ट सनन्द मैसर्स एपेक्स इलैक्ट्रिकल
3	ब <b>ु</b> लसर	वापी	मैसर्स भ्रतुल ह्रग हाउस लिमिटे
4	भावनगर	महुग्रा	मैसर्स नवरंग टाइल्स
5	जामनगर	सलाया श्रोखा	मैसर्स द्वारकादास बल्जी साल्ट वर्क्स (1) मैसर्स दि बरमाह शैल इन्स्टालेश (2) मैसर्स काठीवार मेटल एं टिन वर्क्स (प्राइवेट) लिमिटेड (3) मैसर्स एस्सो स्टैण्डर्ड ईस्ट्रन इन्क (4) मैसर्स कारवोरनडम युनिवर्स लिमिटेड । (5) मैसर्स इण्डियन श्राप्तल कारपोरेशन लिमिटेड । (6) मैसर्स जी० ई० बोर्ड श्रोखा पाव हाउस ।

(1)	(2)	(3)	(4)
6	जूनागढ़	कटियाना	श्री हितेश श्रायल मिल्स एंड जिनिंग फैक्टरी ।
		पोरबन्दर (नगरपालिका सीमा से बाहर)	मैसर्स यूनियन बीयरिंग मनुफैक्चरिंग कम्पनी।
7	कैरा	मेहमदाबाद	1. मैसर्स मेहमदाबाद टाइस्स एण्ड मारबल कं०
		पिपलग (नाडियाड)	<ol> <li>मैसर्स पेपर कोन एण्ड बोबिन फैक्टरी।</li> </ol>
			<ol> <li>मैसर्स यनीक इण्डस्ट्रीज</li> </ol>
		बसाद	मैसर्स निवरंग टाइल्स कम्पनी
		पेटलव	मैसर्स नरोत्तम जेठाभाई एण्ड
		(नगरपालिका सीमा से बाहर )	कम्पनी ।
8	राजकोट	उपलेटा	मैसर्स वैस्टन इण्डिया इण्डस्ट्रीज ।
9	सुरेन्दरनगर	मु्ली	मैसर्स प्लास्टियाइड इण्डस्ट्रीज ।
10	पंचमहल	गोघरा	<ol> <li>मैसर्स श्री गुजरात फ्लोर मिल ।</li> <li>मैसर्स वल्लभ भायल मिल्स ।</li> </ol>

[सं० एफ० एस०-38017(16)/71/एव० श्राई०]

S.O. 2974.—Whereas the Central Government is satisfied that the National Chemical Laboratory, Poona, which is under the control of the Council of Scientific and Industrial Research, is a training and research institution of a non-commercial character and that the employees thereof are in receipt of benefits similar to those provided under the Employees' State Insurance Act. 1948 (34 of 1948).

Now, threfore, in exercise of the power conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the said factory from all the provisions of the said Act for a period of one year upto and inclusive of 12th January, 1972.

[No. F. 602/26/70/HI.]

का० था० 2974.—यतः केन्द्रीय सरकार का समाधान हो गाया है कि राष्ट्रीय रसायन प्रयोग-शाला, पूना जी वैज्ञानिक तथा श्रीद्योगिक अनुसंधान परिषद् के नियंत्रणाधीन है, अवाणिज्यिक स्वरूप की प्रशिक्षण श्रीर अनुसंधान संस्थान है श्रीर उसके कर्मचारियों को बैसी ही प्रसुविधाएं प्राप्त हैं जैसी के लिए कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) के अधीन उपबन्ध किया गया है।

न्नतः कर्मचारी राज्य बीमा श्रधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त मिनतयों का प्रयोग करते हुए केन्द्रीय सरकार उक्त कारखाने को उक्त श्रधिनियम के सारे उपवन्धों से 1972 की जनवरी, 12 तक की एक वर्ष की श्रविध के लिए एतद्द्वारा छूट देती है।

[सं० फा० 602(26)/70/एच० म्राई०]

S.O. 2975.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3608, dated the 23rd October, 1970, the Central Government having regard to the location of the factory, namely, the Government Text Book Press, Mysore, in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said factory from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 29th June, 1971 upto and inclusive of the 28th June, 1972.

[No. F, 601(16)/70-HI]

का० ग्रा० 2975.—कर्मचारी राज्य बीमा श्रधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शित्तयों का प्रयोग करते हुए श्रौर भारत मरकार के श्रम, रोजगार श्रौर पुनर्वाम मंत्रालय (श्रम श्रौर रोजगार विभाग) श्री अधिसूचना सं० का० श्रा० 3608 तारीख 23 श्रक्तूबर, 1970, के क्रम में केन्द्रीय सरकार ऐसे क्षेत्र में, जिस में उक्त अधिनियम के श्रध्याय 4 श्रौर 5 के उपान्ध प्रवृत्त हैं गयनंभेन्ट टैक्सट ब्क श्रैस, मैस्र नामक कारखाने की श्रवस्थित को ध्यान में रखते हुए उक्त कारखाने को जक्त श्रधिनियम के श्रध्याय 5-क के अधीन उद्यहणीय योजक के विशेष श्रभिदाय के संदाय से, 29 ज्त, 1971 से 28 जून, 1972 तक जिसगे वह दिन भी सम्मिलत है, एक श्रौर वर्ष के लिए छट देती है।

(सं० फा० 601(16)/70 -एच०श्राई०)

S.O. 2976.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour. Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1441, dated the 7th April, 1970 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Mysore in which the provisions of Chapters IV and V of the said Act are, not inforce, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier

#### SCHEDULF

SI. No.	Name of District	Name of Ares.	Name of the Factory
ī	Bangalore .	Madivala Village .	M s, NITCO Construction Materials (P) Limited.
		Konanakunte Village,	M s. Balaji Flourings Konankunte Village.
z	Belgaum .	Kamakarhatti .	M s. Bharath Spunpipe Company.
3	Coorg	Kushalnagar .	The Fruit Vegetable Cq-operative Processing Company Limited.
4	Kolar	Malur , ,	M/s. Srinivasa TiJe Werks.
5	South Kanara .	Manipal , .	M/s. Alloy Foundry, Tile Factory, Shivally
		Udip₁	Village. Western Roadways Garage Volakad.

का० ग्रा० 2976.— कर्मचारी राज्य बीमा ग्रधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त मित्यों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार पुनर्घास मंत्रालय (श्रम ग्रौर रोजगार विभाग) की ग्रधिस्चना सं० का० ग्रा० 1441 तारीख 7 ग्रप्रैल ग्रौर 1970 के कम में केन्द्रीय सरकार इससे उपाबद्ध ग्रनुसूची के स्तम्भ (4) में विनिर्दिष्ट कारखानों को उक्त ग्रनुसूची के स्तम्भ (3) में विनिर्दिष्ट मैसूर राज्य के ऐसे क्षेत्रों में, जिसमें उक्त मधिनियम के श्रध्याय 4 ग्रीर 5 को उपवन्ध प्रवृत्त नहीं हैं, अत्रस्थित को ध्यान में रचते हुए उक्त कारखाने को उक्त श्रधिनियम के श्रध्याय 5-क के ग्रधीन उद्यहणीय नियोजक के विशेष ग्रभिदाय के संदाय से, उक्त ग्रधिसूचना में विनिर्दिष्ट ग्रविध की समाप्ति की तारीख से एक वर्ष की ग्रविध के लिए या तब तक के लिए जब तक कि उक्त ग्रधिनियम के ग्रध्याय 5 के उपवन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतक् द्वारा छुट देती है।

# ग्रम् सुची

क्रम सं०	जिले का नाम	क्षेत्रकानाम	कारखाने का नाम
(1)	(2)	(3)	(4)
1	बंगलीर	मदियाला ग्राम	मैसर्स निटको कंस्ट्रक्शन मैटीर्यल्स (पी) लिमिटेड
		कोनकाकृंते ग्राम	मैसर्स बालाजी फ्लोरिग्स कोना- कृते ग्राम ।
2	बेल्गाम	कमकरहट्टी	मैसर्स भारथ स्पनपाइप को०
3	कुर्ग	कुशलनगर	दि फूट वैजिटेबल कोग्रापरेटिव प्रोसेसिंग को० लिमिटेड ।
4	कोलार	मलूर	मैसर्स श्रीनियास टाइल वर्क्स ।
5	साउथ कनारा	मनिपाल	मैसर्स एलाय फाउण्ड्री, टाइल फैक्ट्री शिवल्ली ग्राम ।
		उदिपि	वेस्टर्न रोड़बेज गेराज वालाकड ।

[सं० फा० 602(12)/70-एच०ग्राई०]

8.0. 2977.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 4127 dated the 29th September, 1969 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Andhra Pradesh in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said

notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

SI, No.	Name of District	Name of Area	Name of the Factory
ī	2	3	4
I 2	Nisamabad . West Godavari	. Kisan Nagar . . Niddadavolu .	. Messrs Kisan Cement Pipe Company Messrs Sri Radha Krishna Re-inforced Cement Pipes and Ferro Concrete Works.

[F. No. S-3807/18/71/HI].

का॰ आ॰ 2977 कर्मचारी राज्य बीमा श्रिधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की श्रिधिसूचना सं॰ का श्रा॰ 4127 तारीख 29 सितम्बर, 1969 के कम में केन्द्रीय सरकार इससे उपाब अनुमूची के स्तम्भ (4) में विनिद्धिट कारखानों की उक्त अनुसूची के स्तम (3) में विनिद्धिट श्राधा प्रदेश राज्य के ऐसे क्षेत्रों में, जिसमें उक्त श्रधिनियम के श्रध्याय 4 श्रीर 4 के उपबन्ध प्रवृत्त नहीं हैं, श्रवस्थिति को ध्यान में रखते हुए उक्त कारखाने को उक्त श्रधिनियम के श्रध्याय 5-क के श्रधीन उद्यहणीय नियोजक के विशेष श्रभिदाय के संदाय से, उक्त श्रधि सूचना में विनिद्धिट श्रवधि की समाप्ति की तारीख से एक वर्ष की श्रवधि के लिए या तब तक के लिए जब तक कि उक्त श्रधिनियम के श्रध्याय 5 के उपबन्ध उन क्षेत्रों मे प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतद्द्वारा छूट देती है।

## म्रनुसूची

क्रम सं०	जिले का नाम	क्षेत्रकानाम		कारखाने का नाम
(1)	(2)		(3)	(4)
1 नि	जामाबाद	किसान नगर		मैसर्स किसान सीमेन्ट पाइत कम्पनी ।
2 पकि	नम गोदावरी	निद्दादा <b>वे</b> लु		मैसर्स श्री राधाकृष्ण रिइन्फोर्सड् सीमेंट पाइप्स ग्रौर फैरा कंकीट वर्क्स ।

# [फा॰ सं॰ एस-38017(18)/71-एच ई०]

S.O. 2978.—In exercise of the powers conferred by section 73F of the Employees, State Insurance Act 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S. O. 2654, dated the 25th June, 1969 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Gujarat in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employers special contribution leviable under Chapter

VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

S. No.	Name o	f the	District.	Name of th	ne Are	а	Name of he factory
. <u> </u>	Baroda			Dabhli Chho	ta Ud	epu	r S. T. Dabhalı Depot, S. T. Chhota Udepur Depot.
				Karjan.,			S. T. Karjan Depot.
2	Broach			Ankleshwar			Precon (P) Limited.
3	Bulsar			Vagaldhara			M s. Kashyan Chemical Industries.
4	Kaira.	•		Vasad Mogar			M s Asain Hydraulic Lime Works. M's, Jyoti Electric Motors Limited.
5	Surat			Bardoli.			Sardar Cement Products.

[Y. No. S-38017(16)/71-HI]

का० अ०० २०१३ — कर्मचारी राज्य बीमा प्रधिनियम. 1948 (1948 का 34) की धारा 73 — च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए धौर भारत सरकार के श्रम, रोजगार और पुनर्वास भवालय (श्रम धौर रोजगार विभाग) जी प्रधिस्चना सं० का० भा० 2654, तारीख 25 जून, 1969 के कम में केन्द्रीय सरकार इसमें उपादद्व अनुसूची के स्तम्भ (4) में विनिद्धिट कारखानों की उक्त अनुसूची के स्तम्भ (3) में विनिर्दिष्ट गुजरात राज्य के ऐसे क्षेत्रों में, जिसमें उक्त प्रधिनियम के श्रध्याय 4 धौर 5 के उपबन्ध प्रवृत्त नहीं है, श्रवस्थिति की ध्यान में रखते हुए उक्त कारखाने को उक्त श्रधिनियम के श्रध्याय 5 — क के श्रधीन उद्ग्रहणीय नियोजक के विणेष श्रभिद्याय के सदाय में, उक्त श्रधिम्चना में विनिर्दिष्ट श्रवधि की समाप्ति की तारीख से एक वर्ष की स्रविध के लिए या तब तक के लिए जब तक कि उक्त श्रधिनियम के श्रध्याय 5 के उपबन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एनद्वाग छट देती है।

**ग्रम्**स्ची

अभमस० जिलेकानाम	क्षेत्र थ। नाम	कारखाने का नाम
(1) (2)	(3)	(4)
1 बडौदा	दामली	एस० टी० दामली डिपो।
	छोटा उदयपुर	एस० टी० छोटा   उदयपु <sup>र</sup> डिपो ।
	कर्जन	एस० टो० कर्जन डिपो।
<b>≟ भड</b> ीच	<b>एक</b> ले <i>ण्द्रर</i>	प्रीकोन (प्राइत्रेट) लिमिटेड।
उ वृत्रसः	वगलक्षाः∵	मैसर्स कष्या कैमिकल डण्ड्रस्ट्रीज।
। क <b>ै</b> पग	<b>ास</b> ।द	मैसर्न भ्रमैन हाइड्रालिक लाइम वर्या
	मोगर	मैपर्न ज्योति इलैक्ट्रिक मोटर्स तिमेटेड
5 सूरत	बरदौली	सरदार सीमेन्ट प्रो <b>ड</b> क्ट्स।

[स॰ फा॰ एस॰-38017 ( 16) / 7 :-एच॰प्राई॰]

S.O. 2979.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory namely, Automobile Garage, Dalmia Cement Limited, Hospet, situated in Papinayakanahalli in Bellary District in the State of Mysore in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factory from the payment of employer's special contribution leviable under Chapter VA of the said Act for period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

[No. F. 602/12/70/HI.]

का० ग्रा० 2979.—कर्मचारी राज्य बीमा श्रिधितयम, 1948 (1948 का 34) की धारा 73—व द्वारा प्रदत्त गिक्तियों का प्रयोग करते हुए केन्द्रीय सरकार आटोमोबाइल गैरेज, डालिमया सोमेन्ट लिमिटेड, होसपेट नामक कारखाने को, जो पागोनावासानाहाल्लो, जिला—वेलारी मैसूर राज्य में स्थित है, जिसमें उक्त श्रिधितियम के श्रध्याय 4 श्रीर 5 के उपबन्ध प्रवृत्त नहीं है, श्रवस्थित को ध्यान में रखते हुए उक्त कारखाने को उक्त श्रिधितियम के श्रध्याय 5—क के श्रधीन उद्ग्रहणीय नियोजक के विगेग स्रीमदाय के गंदाय में, इन स्रिधित्वना के श्रासकीय राजपत्र में प्रकाशित होने को तारीख सएक वर्ष की श्रविध के लिए या तब तक के लिए जब तक कि अक्त श्रिधिनियम के श्रध्याय 5 के उपव्यव उन क्षेत्रों में प्रवृत्त नो हो जाते, जो भी पहले हो, एतद्द्वारा छूट देती है।

[सं० फा० 602(12)/70-एच०ग्राई०]

SO. 2980.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the States of Punjab and Haryana in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

#### SCHEDULE

\$1. No.	Name of l	District	Name of Ar	ca	Name of the factory
I		2	3		4
I	Ambala	,	. Dhulekote	•	<ol> <li>(1) Messrs Standard Plastic Industries.</li> <li>Messrs Bhakhra Management Board, 220 KV Grid Station.</li> <li>Messrs M and T Laboratory Haryana State Electric Board.</li> <li>Messrs Haryana State Electric Board.</li> <li>Bharat Iron and Brass Foundry.</li> </ol>
2	Hissar ,	•	. Satroad Kh	R.S	. Messrs Jindal (India) Private Limited.
3 4	Karnal . Sangroor		, Samalkha , Sangroor		<ul> <li>Messrs Aggarwal Iron Foundry.</li> <li>Messrs Punjab Agro Industries Corporation Limited.</li> </ul>

[No. F. 602/7/70/HI]

का० गा० २९८०.—कर्मकारी राज्य बीमा श्रिधित्यम, 1948 (1948 का 34 की धारा 73-जदारा प्रवल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस बात को ध्यान में रखकर कि इससे उनावद अनुसूची के स्तम्भ (4) में विनिर्दिष्ट कारखाने पंजाब और हरियाणा राज्यों के उक्त अनुसूची के स्तम्भ (3) में विनिर्दिष्ट उन क्षेत्रों में स्थित हैं जिनमें उक्त अधिनियम के श्रध्याय 4 श्रीर 5 के उनवन्ध लागू नहीं हैं, उक्त कारखानों को विशेष नियोजक-श्रिभिदाय के संदाय से, जो उक्त श्रिश्चिम के श्रध्याय 5—क के श्रधीन उद्ग्रहणीय है, इस श्रधिसूचना के शासकीय राजपत्र में प्रकाशित होने की तारीख से एक वर्ष तक की श्रवधि के लिए या तब तक के लिए जब तक उक्त श्रधिनियम के श्रध्याय 5 के उनवन्ध उन क्षेत्रों में लाग नहीं हो जाते, इनमें जो भी पहले हो, उस तक के लिए इस द्वारा छूट देती है।

## सनुसूची

ऋम सं०	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4)
	1 ग्रम्बाला	चूलेकोट धूलेकोट	1. मेसर्स स्टेण्डर्ड प्लास्टिक इंडस्ट्रीज
			<ol> <li>मेसर्स भाखड़ा मनेजमेन्ट बोर्ड,</li> <li>220-की०वा० ग्रिड स्टेशन।</li> </ol>
			<ol> <li>मेसर्स एम० एण्ड टी० लेबोरेटरी हरियाणा राज्य विद्युत बोर्ड ।</li> </ol>
			4. मेसर्सहस्यित्णा २०२य विद्युत बोर्ड ।
			<ol> <li>भारत श्रायरन एण्ड ब्रास फाउण्डरी</li> </ol>
2	हिसार	सत रोड़ खास	मेसर्स जिन्दल (इण्डिया) प्राइवेट लिभिटेड ।
3	करनाल	सामालखा	मेसर्सं श्रग्रवाल श्रायरन फाउंड्री ।
τį	स् <sup>र</sup> ग <b>रू</b> र	संगरूर	मेसर्स पंजाब एम्रो इण्डस्ट्रीजः कार– पोरेशन लिमिटेड ।

[सं० फा० €02(7)/7 C-एच० ग्राई०]

दलजीत सिंह, ग्रवर सर्चिव, भारत सरकार ।

### (Department of Labour & Employment)

### New Delhi, the 21st July 1971

S.O. 2981.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Post Office Kothagudium Collieries (Andhra Pradesh) and their workmen, which was received by the Central Government on the 14th July, 1971.

## BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

#### PRESENT:

Sri T. Chandrasekhara Reddy, B.A., B.L., Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

### INDUSTRIAL DISPUTE No. 40 of 1969

#### BETWEEN:

Workmen of Singareni Collieries Company Limited, Kothagudem.

#### AND

The Management of Singareni Collieries Company Limited, Kothagudem.

#### APPEARANCES:

- Sri A. Lakshmana Rao, Advocate, for Workmen.
- Sri P. S. Jayachander Rao, Divisional Personnel Officer, Singareni Collieries Co., Ltd., and Sri K. Srinivaswa Murthy, Hony, Secretary of the Federation of Andhra Pradesh Chambers of Commerce and Industry, for Management.

### AWARD

The Government of India by its order dated 7-11-1969 issued by the Ministry of Labour (Employment and Rehabilitation) referred the following industrial dispute to my predecessor, Sri Mohammad Najmuddin and after the expiry of his tenure of office to me for adjudication. The dispute referred is as follows:—

- "Having regard to the nature of duties performed, the emoluments drawn and status enjoyed by Sarvasri Maka Venkanna, Jalli Bhushanam, Jithugu Venkanna, Rayadu Suranna and Nakka Suranna, Ex- Supervisors of the Andhra Labour Force, how far the management of Singareni Collierics Company Limited, Kothagudem is justified in allotting to them the monthly grade of Rs. 165—230 under the recommendations of Central Wage Board for Coal Mining Industry. If not, to what relief are these workers entitled and from what date?"
- 2. The Workmen have filed a claims statement through the President of Andhra Pradesh Colliery Mazdoor Sangh alleging inter alia that Maka Vankanna, Jalli Bhushnam, Jithugu Venkana, Rayudu Suranna and Nakka Suranna, ExSupervisors of the Andhra Labour Force, who were later taken on the regular rolls of the Singareni Collieries Company Limited with continuity of service were working in 5 inclines except No. 1 who was working in the Labour Training Pool were placed in the monthly grade of Rs. 43 to Rs. 82 (Clerical Grade III) under the Mazumdar Award having regard to the nature of duties performed, the emoluments drawn and the status enjoyed by them. After the Central Government accepted the recommendations of the Board, the Management issued a circular dated 27-1-1968 implementing the wage board recommendations unilaterally in regard to the monthly paid staff of the Company and placed the five workmen in

question in the grade of Rs. 165 to Rs. 230 instead of placing them in the grade of Rs. 180 to Rs. 265. They averred that this was without prejudice to their contentions in I.D. No. 30 of 1967. According to the workmen the above action of the management was most unfair and contrary to the recommendations of the Central Wage Board and the instructions contained in the circular issued by the management itself. So they prayed for a directive to be issued to the employer that the five workmen should be placed in the grade of Rs. 180 to Rs. 265 with effect from 15-8-1967.

- 3. The Management filed a counter alleging that the Andhra Pradesh Singareni Collieries Mazdoor Sangh was not a party to the dispute and therefore they were not bound to file any reply statement. However they admitted that the workmen concerned were ex-supervisors of Andhra Labour Force which was abolished in 1949, that then the workmen of the said Andhra Labour Force were absorbed on various jobs according to the skill and experience on appropriate category of wages taking into consideration the nature of duties performed and the emoluments drawn at the time of absorption. So they contended that the question of the previous status of the five workmen would not arise as they had been absorbed in various categories. They further pleaded that it was not practicable to absorb all the eight supervisors, who were getting a fixed pay of O.S. Rs. 55 per month and so they were fixed up another unskilled jobs like Tippler Muccadams and other daily rated jobs but in view of the directions contained in Mazumdar Award that the workers who were drawing a rate of pay higher than what had been prescribed under the Mazumdar Award as modified by the L.A.T. should be permitted to draw higher emoluments, they were placed in monthly grade and were drawing a rate of pay higher than what had been prescribed under the award for Tippler Muccadams. Further out of eight Ex. Supervisors, one was working as an Area Clerk carrying out semi clerical duties and two retired long ago and the five workmen in question were continuing to work as Tippler Muccadams in the same grade, i.e. Rs. 165 to Rs. 230 even though the appropriate wage was old Category VI only and the approriate Category for Tippler Muccadams in the Collieries was only Category IV i.e., Rs. 6.90—0.20—
- 4. According to the Management it was not correct to say that they unilaterally implemented the Central Wage Board recommendations. The management averred that the scale of pay of Rs. 180—5—230—7—265 mentioned in statement "D" of the Circular dated 27-1-1968 referred to the individuals who were doing semi-clerical duties and that one of the ex-supervisors, who was doing semi-clerical duties had been allotted that grade while the scale to be allotted to the others had been mentioned in statement "A' of the Circular and all of them had been rightly given the grade of Rs. 165-00 to Rs. 230-00 taking into consideration the nature of the work performed by them. So their claim for a higher grade was not justified. That apart, the management urged that, in a similar dispute raised by anoter Union in respect of Ex. Muccadams of Andhra Labour Force, who were in monthly grades working as Tippler Muccadams, as daily mazdoors and attendants for grants of appropriate monthly scale under the Coal Award, the matter was referred to arbitration and the arbitrator awarded daily rates of pay to those workmen according to the nature of the job performed by them having regard to the job description under the coal award and some of them who were working as Tippler Muccadams were not eligible for any higher rates of pay then what was due to them under the wage board recommendations for the job. The Management denied the allegation that all the workmen who were in the grade of Rs. 43 to Rs. 82 were allotted the grade of Rs. 180 to Rs. 265 as that was the corresponding grade prescribed by the wage board for the old grade under the Mazumdar Award i.e., Rs. 43 to Rs. 82. They alleged that there were number of workmen in the old grade of Rs. 43 to Rs. 82 in other jobs even though the grade of Rs. 43/82 was much more than what they would have been entitled as per the nature of the work done by them and workers like unpassed Deputies, Ex-Surface Inspectors Ex. Compressor Drivers, who were formerly in the grade of Rs. 43 to Rs. 82 were allot
  - 5. So they prayed that the claim of the workmen might be dismissed.

- 6. Each party examined one witness and the workmen have marked Exhibits W1 and W2 while the Management have marked Exs. M1 to M7.
- 7. The issue that arises for determination is the same as referred to in para 1 supra.
- 8. It is common ground that the five workmen in question were originally i.e. prior to 1949 working as supervisors in Andhra Labour Force and they were taken over by the Company and taking into consideration the nature of the duties performed by them, the emoluments they were drawing and the status they were enjoying, they were placed in the grade of Rs. 43 to Rs. 82 at the time of their absorption in the Company's service. Even according to M.W.I. this was done without reference to the nature of work they were doing subsequently, It is also in the evidence of M.W.I that one supervisor, who was in the Andhra Labour Force with the five workmen in question and absorbed in the Company and was in the grade of Rs. 43 to Rs. 82 has been placed by the Company in the grade of Rs. 180 to Rs. 265 at the time of the wage board recommendations. But these five workmen in question were placed in the grade of Rs. 165 to Rs. 230 at that time. So it is contended on behalf of the workmen that merely because these five workmen were asked to do whatever work was available and whatever work was entrusted to them at the time of absorption and were asked to do the duties of Tippler Muccadams, they should not be deprived of the grade of Rs. 180 to Rs. 265, which was the suitable grade for them. In this connection Sri Lakshman Rao, learned counsel for the Workmen points out that even according to M.W.I although the other Tippler Muccadams were daily rated, the five workmen in question were given monthly rates in spite of the fact that they were doing the duties of Tippler Muccadams. So it is urged that the distinction between the five workmen in question who were ex-supervisors of the Andhra Labour Force (A.L.F.) and other Tippler Muccadams in the Company's service was always maintained. That apart, it is argued that item 35 of Ex. M6, the Circular issued by the Company at the time of the implementation of the wage board mentions that the ex-supervisors of the A.L.F. are entitled to the grade of Rs. 180 to Rs. 265 and that therefore, i
- 9, My attention is also drawn by Sri Lakshmana Rao to the unanimous recommendations of the Central Wage Board for Grade III Clerks, who were previously in the grade of Rs. 43—3—82 to the passages in paras 15 and 16 at page 76 in Chapter VIII, wherein the grade recommended by the Wage Board is Rs. 180—5—230—7—265. Sri Lakshmana Rao also urges that a shot firer who was in the grade of Rs. 43—3—52 was recommended that grade of Rs. 180—5—210—7—273; that a Ferro Printer who was in the grade of Rs. 30—1—40—2—46 was recommended the grade of Rs. 165—4—205—5—230. that a compounder who was in the grade of Rs. 45—3—75 also was recommended the grade of Rs. 180—5—210—7—273, that an Assistant Supervisor or Manager among the canteen staff was recommended the grade of Rs. 180—5—230—7—265, that even a matriculate untrained or non-matriculate trained teacher is given grade III, the scale of pay being Rs. 180—5—230—7—265, that therefore it was absolutely unfair and unjust on the part of the management to place the five workmen in question in the grade of Rs. 165—4—205—5—230 on par with canteen cooks. So he submits that it would be just, fair and equitable to give the five workmen in question the grade of Rs. 180—5—230—7—265.
- 10. But Sri Sreenivasa Murthy for the Management submits that of the five workmen in quesion, Rayudu Subbarayadu had retired even prior to the date of reference, that the workmen in question had been working as Tippler Muccadams and not as Supervisors, that having regard to the nature of the duties they were performing the emoluments drawn by them and the status they were given the appropriate grade of Rs. 165 to Rs. 230 by the Management, that one ex-supervisor who was working as an Area Muccadam a semi clerical job at the time of the implementation of the wage board recommendations had been given the higher grade of Rs. 180 to Rs. 265 and that a Tippler Muccadam would not come within the nomenclature of clerical staff as mentioned at page 54 of Appendix VI in Vol. II of the Wage Board Recommendations and the workmen in question were not entitled to grade III of the Wage Board recommendations. He further urges that the shot firer, Ferroprinter, Compounder, Assistant Supervisor, Matriculate untrained or non-matriculate trained teacher were coming within the purview of technical and supervisory staff and their scales of pay

11. It is next argued that in a similar case there was an arbitration and an award passed by the managing director as is evident from Ex. M7 and that the same applied to the five workmen in question. But a careful perusal of Ex. M7 shows that the arbitration was in respect of Ex-Muccadams of Andhra Labour Force and not to Ex. sujervisors of Andhra Labour Force. Hence the award Ex. M7 has no application to the facts of the case.

12. In the light of the above discussion, I hold that the Management of Singareni Collieries Company Limited, Kothagudem are not justified in giving the grade of Rs. 165 to Rs. 230 to the five workmen in question. However as it is in grade of Rs. 185 to Rs. 230 to the five workmen in question. However as it is in evidence that Rayudu Subbarayudu retired even prior to the reference, he will not be entitled to any benefit or relief. But the other four workmen Sarvasri Maka Venkanna, Jalli Bhushnam, Jithugu Venkanna and Nakka Suranna are entitled to be placed in the grade of Rs. 180 to Rs. 265 from the date of the implementation of the Wage Board Recommendations by the respondent Company.

13. In view of my finding in regard to the 1st limb of the issue, the necessity to give a finding on the second limb does not arise.

Award is passed accordingly.

Written in my own hand and given under my hand and seal of the Industrial Tribunal (Central) Hyderabad on 20th April, 1971.

T. CHANDRASEKHARA REDDY

Industrial Tribunal.

#### APPENDIX OF EVIDENCE

Witnesses examined for workmen:

Witnesses examined for Employers:

W.W.1. J. Bhooshnam.

M. W.1: A. Seshagiri Rao.

Documents exhibited for Workmen:

Ex. W1: Provident Fund Account of J. Bhooshnam dt. 29-6-1964.

Ex. W2: Provident Fund Account of J. Bhooshnam dt. 6-5-1967.

Documents exhibited for Employers

Ex. M1: Pay fixation of J. Bhooshnam under Wage Board Award as on 26-11-1969.

Ex. M2: Pay fixation of Makka Venkanna under Wage Board Award as on 26-11-1969.

Ex. M3: Pay fixation of Rayadu Suranna under Wage Board Awards on 26-11-1969.

Ex. M4: Pay fixation of Makka Suranna under Wage Board Award as on 26-11-1969.

Ex. M5: Pay fixation of Jithuka Venkanna under Wage Board Award as on 26-11-1969.

Ex. M6: Circular issued by the Company on 27-7-68 regarding implementation of the Central Wage Board recommendations for the coal mining industry monthly rated staff.

Ex. M7: Arbitration Award dt. 5-8-66 of S. K. Nargundkar, Managing Director of the Company in respect of implementation of appropriate grade to the ex-muccadams.

T. CHANDRASEKHARA REDDY.

Industrial Tribunal.

[No. 7/11/69-LR.II.]

#### New Delhi, the 22nd July, 1971

S.O. 2982.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Post Office Kothagudem Collieries (Andhra Pradesh), and their workmen, which was received by the Central Government on the 9th July, 1971.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD PRESENT:

Sri T. Chandrasekhara Reddy, B.L. B.L., Chairman. Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE No. 20 OF 1970

#### BETWEEN

Workmen of Singareni Collieries Company Limited, Bellampally

AND

The Management of Singareni Collieries Company Limited, Bellampally.

Appearances:

- Sri M. Komariah, General Secretary, Singareni Collieries Workers' Union, Kothagudem, for Workmen.
- Sri K. Srinivasa Murthy, Secretary, Federation of Chamber of Commerce and Industry and Sri M. Shyam Mohan, Personnel Officer, Singarent Collieries Co., Ltd., Bellampally, for Management.

### AWARD

The Government of India by an order dated 20th May, 1970 issued by its Ministry of Labour, Employment and Rehabilitation referred the following industrial dispute between the Employers in relation to the Singareni Collieries Company Limited, Kothagudem and their Workmen for adjudication to my predecessor Sri Mohammad Najmuddin, and on the expiry of his term of office to me. The dispute referred is as follows:—

"Having regard to the job description of coal cutters given in Mazumdar Award whether the management of Singareni Collieries Company Limited, Belampalli were justified in suspending coal cutters without paying wages on different periods during February, 1968 to January, 1969 on the ground that the said coal cutters refused to quench the coal face? If not, to what relief are the workmen entitled?"

The Workmen filed the claims statement through Sri B. Gangaram, the Vice President of the Singareni Collieries Workers' Union, Bellampalli alleging that although the quenching of the coal face was not done by the coal cutters at any time and although that work was done by general mazdoors in all other pits, the Management of Singareni Collieries Company Limited in Mandamarri Division was harassing the coal cutters in Kalyan Khani No. 1 Incline by insisting upon the coal cutters to quench the coal face and issuing charge sheets and suspending them and illegally deducting their wages during the period between February, 1968 and January, 1969 on the ground that they refused to spray water on the coal face. According to them spraying of water on the coal faces was not included in the job description of coal cutters by the Wage Board vide Appendix V Vol. II job description (6) in Category IV page 46 of the Wage Board recommendations. They further averred that even when the number of coal cutters was 5 in Mandamarri and Bellampalli Divisions, the coal cutters did not spray water on the coal faces and the Union had entered into an agreement with the management reducing the strength of coal cutters in a team from 5 to 4 in the broad interests of coal industry. So they contended that the action of the Management in taking disciplinary action against the coal cutters during the period from February, 1968 to January, 1969 was unjustified and illegal and prayed that the suspensions of coal cutters of Mandamarri Division during the above period be cancelled and the wages for the different suspension periods be paid to them.

- 3. The Management filed a reply statement alleging that the reference was not specific as to which of the coal cutters it applied, or the periods of suspension inflicted upon coal cutters except mentioning a period of one year from February, 1968 to January, 1969, that even the workmen had not mentioned in their claims statement the names of coal cutters who had been suspended and the periods of suspension and on whose behalf it was filed. With the result that the reference was based on assumptions and ambiguous in terms and so they prayed that the reference might be dismissed in limine.
- 4. The Management averred that the Coal Mines Regulation No. 171(b) provides that no shot should be fired at any place underground unless the roof and sides were drenched with water to such an extent that there was no danger of dry coal dust being raised into the air by the shot and the short firer was made responsible for certain duties and to see that his assistants observed safety precautions, the assistants of a shot firer being mainly the coal cutters working as a four man team in the mines of Singarchi Collieries Company Limited. The Management averred that the job description of coal cutter in Singareni Collieries Company was not defined under the Mazumdar award and in Bengal and Bihar, drilling and blasting operations were done by the Drillers, Dressers, Explosive Carriers and Drill-Mazdoors each of them being paid in different category of wages both under the Mazumdar Award and Coal Wage Board and the job description of each of these categories was also separately mentioned (Vide job description Nos. 166, 55 and 60 of Appendix XI of Mazumdar Award). The Management asserted that drillers were placed in Category IV. Dressers in Category III and Explosive Carriers in Category II by the Central Wage Board for Coal Mining Industry for the job description in West Bengal and Bihar and that although the jobs undertaken by the coal cutters than in Singareni Collieries did not justify 4th Category emoluments, and though their duties comprised of lower category works covered by new Categories II and III, they had been given IV Category emoluments.

- 5. According to the Management the four man team of coal cutters in Singareni Collieries Company Limited had to do all the works necessary in cutting coal at the face and spraying of water being one of the essential duties, it was part and parcel of the duties of the coal cutting team to spray water on the coal face. They also denied that they were harassing the coal cutters. Further they pleaded an agreement with the Unions on 12th July 1962 that there would be a four man team of coal cutters in Kalyan Khan Nos. 1 and 2 Incline and a separate settlement on 14th December, 1967, to the effect that the present work load of the gang would continue till further agreement and that as there was no change in their pattern of work or workload since then, the coal cutters had to spray water at the coal faces and so it was not an additional work imposed on the reasonable orders of their superiors by not spraying water, the Management was justified in taking disciplinary action under the Standing Orders of the Company for wilful insubordination during the period from February 1968 to January, 1969. So they (the coal cutters) were not eligible for wages during those periods when they were placed under suspension pending enquiry and the period for which they were suspended by way of punishment for misconduct. According to the Management the coal cutters were punished after duly observing the procedure for taking disciplinary action. They further contended that the coal cutters in Singareni Collieries being time rated workers, their duty hours being 8 per day, the work of spraying of water within the 8 hours of work was not on additional duty and that as it was being regularly done by them previously it amounted to interference with the Management function of allotment of work. So they prayed that the reference might be rejected.
- 6. Four witnesses have been examined and Ex. W1 marked on behalf of the Workmen while five witnesses have been examined and Exs. M1 to M20 and M20(a) marked for the Management.
- 7. The Management have taken an objection in the counter statement that a list containing the names of the coal cutters, who had been suspended for refusing to quench the coal face during the period in question and the number of days they had been kept under suspension, had not been mentioned in the reference and that therefore the reference itself was bad. In any case as the workmen had not mentioned the above details in their claims statement, the reference was bad and incompetent. It is true that the reference did not give the list of the coal cutters, who were kept under suspension for refusing to quench the coal face during the period under reference or the periods for which the coal cutters were kept under suspension between February, 1968 and January, 1969. The workmen also did not give the above details in their claims statement. A list containing forty names of coal cutters and the periods for which they were kept under suspension was filed on 18th November 1970 i.e., about 3 months after the counter statement was filed by the Management. It is submitted for the Management that none of the witnesses examined for the workmen had spoken to the correctness of the details mentioned in the list and that it was not filed along with the claims statement and exhibited W.W. 1, a coal cutter in Kalyan Khani No. 1 of Mandamarri Division stated in his evidence that in 1968 about 60 or 70 persons (coal cutters) were suspended for refusing to quench the coal face and that he was also kept under suspension on the same ground but later he admitted that he was not one of those who was kept under suspension. He wants the tribunal to believe that he too refused to quench the coal face but that no action was taken against him. In the same breath, he says, that he was not doing work in the section as the other coal cutters who were kept under suspension and that he was working in a different section. W.W.2 a coal cutter who was working in Shanti Khani, Bellampalli also stated merely that some coal cutters were suspended fo
- 8. Even W.W.3, an Overmen in G. K. No. 10 Incline, Kothangudem and the Organising Secretary of the Singareni Collieries Workers Union merely deposed that some coal cutters in K.K. No. 1 were kept under suspension as they refused to spray water on the coal face.
- 9. W.W.4. a coal cutter working in Kalyan Khani No. 1 Incline merely spoke to his having been kept under suspension for refusing to spray water on the coal face. Even he did not mention how many coal cutters had been kept under suspension during the period under reference.

10. M.W.5, Sree P. T. Thomas, who was the enquiry officer stated in his evidence that he conducted enquiries against 50 coal cutters during 1968 and 1969 on the ground that they referred to quench coal face. He did not remember if he had conducted any enquiries against coal cutters in Kalyan Khani 2 Incline or in Nos. 3 and 5 Inclines at Mandamarri. Exs. M2 to M6 and M9 to M20 are the files relating to the domestic enquiries held against coal cutters in Kalyan Khani No. 1 Incline. Further no material is placed on record to show that any action was taken against the coal cutters in other inclines in Bellampalli Division of Singareni Collieries. But it is to be noticed that the list filed by the workmen on 18th November, 1970 gives the above particulars and by them, enquiry in this Industrial Dispute had not commenced. It is urged by Sree Komariah, learned representative of the Workmen that they had furnished a copy of the list to the Management and that although W.W.1 to W.W.4 did not speak about the correctness of the particulars given in the list, even the Management did not point out any mistakes in that list. In the circumstances I see no reason to brush aside the list which forms part of the record and that too when it is not assailed on the ground that it is incorrect in any particular. The parties to the dispute have been specifically mentioned and admittedly there is an industrial dispute. Therefore the mere nonmention of the above particulars in the order of reference does not make the reference bad for vagueness and the objection raised by the management is overruled.

11. It is argued for the workmen that the coal cutters in Singareni Collieries never quenched the coal face, that the Mazumdar Award did not mention spraying water on the coal face in the job description of coal cutters and that therefore the Management of Singareni Collieries was not justified in keeping the coal cutters in Bellampalli Division under suspension for not quenching coal face and denying them wages during the period in question. But Sri K, Srinivasmurthy, learned representative of the Management urged that the Mazumdar Award did not mention the job description of coal cutters as such in Singareni Collieries Company and that in view of the Coal Mines Regulation No. 171(b) which provided that no shot should be fired at any place underground unless the roof and sides were drenched with water to prevent coal dust being raised into the air by the shot and Regulations 38(1) and 45(b) of the Coal Mines Regulation mentions the regulations and enjoin upon the shot firer to see that safety precautions are taken and that the team of coal cutters being assistants of the shot firer had to spray water on the coal face. He also submitted that under the agreement dated 14th December, 1967 it was agreed that the team of coal cutters should consist of four persons and that they should do all the duties which the team of coal cutters was doing till then that as the coal cutters, who were till then quenching coal face, refuesd to do so, action was justifiably taken against them after due enquiries and that the coal cutters in question were not entitled to any relief.

12. The Muzumdar Award has not given the occupational nomenclature as coal cutter and mentioned the job description of coal cutter as such in regard to Singareni Collieries Company, Kothagudem. Further in Appendix XI All India Industrial Tribunal (Colliery Disputes) occupational nomenclatures and job descriptions are given at page 77. Item 55 relates to drill mazdoor and the job description of a drill mazdoor is given out as a person who assists the operator of the electrical coal drill mazdoor is given out as a person who assists the operator of the electrical coal drill in the general work of drilling shot holes at the coal faces and who carries cable, drilling rods and bits etc.? The occupational nomenclature of item 166 is Driller and the job description is a manual worker employed in operating a power driven drill to make holes in coal and other strata for blasting and other purposes. In the note below it is mentioned that in some cases the coal cutting machine driver and his assistant or assistants also undertake drilling at the machine cut coal face in addition to working the coal cutting face. The occupational nomenclature of item 185 is coal cutting and his job description is that he is a manual worker, who is in charge of and operates a coal cutting machine. It is to be noticed that the occupational nomenclature and job description of a driller (Item 166) apply to a coal cutter in Singareni Collieries and in Appendix XIII Part I, Notes on categorisation 10 of the Mazumdar Award also mentions that the coal cutters in Singareni Collieries Company Limited correspond to Drillers (Item 166). But the duties of a coal cutter in Singareni Collieries appear to be a little different. According to W.W.1, coal cutter in K.K.1 Mandamarri Division, a coal cutter goes to the manway of the mine, books the muster, goes to the magazine, brings explosives, goes into the grit, and keeps the explosives in the relay station. Then the Sardar gives him instructions to go to the workspot where he checks the face and drills ho

firer and the shot firer will fire the shots. After informing the others there that blasting is being done, he goes to other places. We says that that is the only work done by a coal cutter, that water is sprayed by a daily mazdoor with the aid of a hose pipe in order to control dust before drilling and that spraying of water was not done by coal cutters at any time prior to the wage board recommendations.

- 13. W.W.2, a coal cutter in Shanti Khani in Bellampalli Division also stated that at no time coal cutters sprayed water on the coal face and that always it was only daily mazdoors that quench the coal face before the coal cutters went to drill holes in the pit. According to him even in Bellampalli that was the practice. It is also in his evidence that some coal cutters in K.K. I were suspended when they refused to spray water on the coal face although the management asked them to do so.
- 14. W.W.3, an Overman in G. K. No. 10 in Kothagudem Division deposed that coal cutters in Kothagudem did not spray water on the coal face that in Kothagudem, Yellandu and Ramagumdam Divisions coal cutters were not asked to spray water on the coal face and that there was no dispute in that connection. He would say that he was working as an overman since 1963, and that since then coal cutters were not spraying water on coal face. Miscellaneous work such as spraying of water on the coal face was always done by general mazdoors. According to him he was the organising secretary of the Singareni Collieries Workers Union and so he knew what was being done in all the mines. He too stated that some coal cutters were kept under suspension as they refused to spray water on the coal face.
- 15. W.W.4, a coal cutter in Kalyan Khani No. 1 incline in Mandamarri Division deposed that he worked as a coal filler from 1955 till 1965 when he was appointed as a coal cutter, that coal dust would be present when explosives were fired, that water was sprayed over coal face before and after the explosives were fired to subside coal dust, that the coal cutters never sprayed water on the coal face and that the daily mazdoors sprayed water on the coal face, previously and even at present. He had been kept under suspension for three days as he had refused to spray water on the coal face on the ground that it was not part of his duties. He admitted that he had been issued a charge sheet in that connection, that he made a representation in writing in reply to the charge sheet and that he had been kept under suspension as was manifest from Ex. W1. He denied that he had stated during the enquiry that coal cutters were spraying water previously and asserted that he stated that it was not their duty to spray water previously and asserted that he stated that it was not their duty to spray water. According to him the enquiry officer explained to him the charge in Telugu and he made his statement in Telugu, which was recorded by the enquiry officer and the enquiry officer took his thumb impression without reading it. But he admitted that the overman and others were examined in his presence. M.W.5 the Assistant Personnel Officer, Mandamarri who conducted the enquiries against the coal cutters including W.W.4 when they refused to spray water on the coal face in 1968 and 1969 stated that he conducted about 50 enquiries during the above period, that Exs. M2 to M6, M9 to M20 were the domestic enquiry files relating to K.K.1 incline, that he followed the procedure prescribed under the standing orders, that he recorded the statements of persons examined during the enquiries and explained to them those statements in Telugu. He also stated that W.W.4 made a statement before him as contained in Ex. M.20(a) and that he recorded the statement correctly and explained to him the contents in Telugu and obtained his thumb impression. It is also in his evidence that W.W.4 stated before him that when the overman asked him to quench the coal face he refused to do so. It may be relevant to note here that W.W.4 has admitted in his statement that the contents of his statement had been explained to him, and the enquiry officer also has made a note that he explained the contents to the deponent in Telugu. Thota Lingayya, a coal cutter against whom a charge sheet was issued along with W.W.4 and another has stated during the enquiry that pre-viously the coal cutters used to spray water on the coal face. Similarly a perusal of Ex. M.19 the domestic enquiry file relating to Konde Venkaty, and Sudamalla Dharmayya, coal cutters shows that both of them admitted during the enquiry that previously they were quenching coal face when there were five coal cutters in a team and that as the number of coal cutters in a team had been reduced to four, they would not quench the coal face. To the same effect are the statements of the coal cutters against whom disciplinary action had been taken under Exs. M2, M3, M4, M5, M9, M10, M11, M13, M14, M15, M16, M17, and M18. M.W. 5 who

has recorded all the statements of the coal cutters and the witnesses examined in support of the charges has deposed that he recorded their statements correctly and explained to them in Telugu. Although his mother language was Malayalam, he had passed Telugu examination held by the Company. Nothing material has been elicited in his cross examination which throws a doubt about the creditibility on his evidence. So I accept his evidence and hold that the statements he had recorded had been explained to the concerned in Telugu and that he had recorded their statements correctly.

- 15. Apart from the above material in regard to the spraying of water on the coal face M.Ws. 1 to 4 have also spoken to it. M.W.1 is the Manager of 5 Incline at Kothagudem. He had worked as Manager No. 1 Incline, Kalyan Khani and had put in service of eight years as Manager. He had also worked as Assistant Manager in Rachara Collieries and Vhurangya Collieries in Bihar and as Manager in Sitaldas G. Selected Collieries in Bengal previously and he was an apprentice in Tata Collieries in 1951. In his evidence he described in detail the duties put forwarded by coal cutters and according to him all duties assigned to them by the shot firers in connection with the shot firing operations. Such as drilling the shot holes, carrying out clay cartridges spraying of water on the coal face of the roof and sides before and after the blasting was done by coal cutters till the beginning of 1968. He further stated that he received a copy of a circular sent by the Chief Inspector of Mines under Regulation 171(b) of Coal Mines Regulations directing them to see that spraying of water was done into a distance of 90 metres and so they saw that water was sprayed with a rubber hose pipe. According to them this was intended for the safety of the mines and the workers working therein. He added that if the coal face was naturally wet, water was sprayed on the coal surface. He went on to say that he received reports that coal cutters started evading to spray water from January, 1968 and he issued charge sheets and appointed enquiry officers to conduct enquires under Standing Orders and action was taken against the delinquents on the basis of the reports of the enquiry officer and the statements of the witnesses examined during the enquiry Exs. M.2 to M.6 were the concerned files. Accordingly to him appeals were not filed against the orders of suspension passed against the delinquents. However, he admitted that coal cutters in 5th Incline refused to spray water and no action was taken against them in view of concillation proceedings. He den
- 16. M. W. 2 is the Manager of K. K. No. 2 Incline, Mandamarri Division. He too stated that coal cutters were spraying water on the coal face before and after blasting from 1965 upto the end of 1967 though non and then some of them were refusing to do that work and that he issued charge sheets and action was taken against them after holding proper enquiries. According to him the Inspector of Mines inspected the mines and questioning them why the mines were being worked without spraying water and subsequently the Joint Director of Mines (Safety) sent a letter Ex. M. 7 dated 5th August, 1967 to the effect that spraying of water on the coal face should be done. It is in his evidence that spraying of water was insisted upon since 1966 by the mine authorities, that the entry on the reverse of page 93 of Ex. M.8 showed that water was sprayed on the coal face and that the quentity of work done by the coal cutters in their Company since Mazumdar Award was the same and that no additional work load was given to them and the hours of work also remained the same. However he admitted that he did not personally know about the correctness of the entries in Ex. M8. It is further in his evidence that after the agreement dated 14th December, 1967, the coal cutters were refusing to spray water on the coal face and so they were getting water sprayed by the mazdoors from 1968. He denied the suggestion that coal cutters in K. K. 2 never sprayed water on the coal face.
- 17. M. W. 3 is the Under Manager in K. K. 1 incline. Since October 1965 prior to that he was working at Ramagundam No. 1 incline. As Under Manager, it was his duty to see that coal faces were prayed before and after blasting. According to him coal cutters were spraying water on the coal faces from October, 1965 to December 1967 regularly. He too stated that the coal cutters slowly gegan to evade doing that work. So he brought to the notice of the Manager of the mine about it and the Manager issued charge sheets and action was taken against the defaulting coal cutters. He filed Exs. M9 to M20 the domestic enquiry files. However he admitted that he did not know whether spraying of water was done by coal cutters in Shanti Khani, Morgans Pit etc., in Bellampalli.
- 18. M. W. 4 is an Overman working in K. K. 2 Incline since 11 years. He too stated that coal faces were sprayed with water in 1966 and 1967 by coal cutters

and that for some time in December 1967, January and February, 1968, they evaded doing it. He did not send up written reports about coal cutters refusing to spray water after February 1968 but according to him he made oral reports in that connection. It was his duty to see that water was sprayed over coal face.

- 19. Thus it is clear that a part from the evidence of M. Ws. 1 to 4 to the effect that the coal cutters in K. K. 1 Incline and K. K. No. 2 and K. K. 5 Inclines were spraying water on the coal faces and that charge sheets were issued to the coal cutters in K. K. 1 Incline when they refused to spray water and action was taken. M. W. 5's evidence further discloses that he made enquiries against coal cutters concerned in Exs. M2 to M6, M9 to M20. The statements of the delinquents concerned in Exs. M2 to M5, M9 to M11, M13 to 18 disclose that they were spraying water on the coal face before and after blasting when their team consisted of five persons and that they refused to do so only as the strength of their team had been reduced to four and not on the ground that it was not part of their work. As stated already M.W.5 has spoken to his having record the statements of the concerned delinquents. I have accepted the evidence of M.W. 5. It is to be noticed that all the concerned delinquents are from Kalyan Khani No. 1 incline, Mandamarri Division. Although evidence was let in by the Management to show that in other inclines and division coal cutters refused to spray water on the coal faces, on their own showing no action was taken against the coal cutters in other mines. No doubt the Management has explained that as conciliation proceedings were pending, no action was taken against the coal cutters in other mines when they refused to spray water. Whatever it might be, it cannot be said that the Management harassed the coal cutters in Mines other than in K. K. 1 incline of Mandamarri Division or that they suspended coal cutters and refused to pay their wages during February, 1968 to January, 1969 for not spraying water on the coal face. Hence the award is necessarily confined to K. K. 1 incline.
- 20. The Mazumdar award did not mention, job description of coal cutters in Singareni Collieries Company Limited and in Appendix XIII Part I item 10, it is mentioned that coal cutter in Singareni Collieries Company corresponds to Driller item 166. But in view of the material referred to above, I have no doubt that coal cutters in K. K. 1 Incline Mandamarri were spraying water on the coal face prior to the agreement dated 14th December, 1967 when their team consisted of five persons. In any event there is reliable material on record that the coal cutters in K. K. 1 Incline were spraying water on the coal face between October 1965 and December, 1967 and that they refused to spray water on the coal faces therefter under the terms of the agreement dated 14th December, 1967 (marked as Ex. M1) the work load of the coal cutters that was existing then would continue till further agreement and it is not proved that there was a by change in the pattern of work or workload since then that they were asked to work for more than 8 hours per day. There is also no evidence that there was any further agreement in this regard. In the circumstances it cannot be urged that simply because the Mazumdar award did not specifically mention that the coal cutters had to spray water on the coal face, it was not part of the duties of the coal cutters in K. K. 1 incline of Mandamarri Division in Singareni Collieries Company Limited to spray water on the coal face before and after blasting.
- 21. It is not denied that Regulation 171(b) of the Coal Mines Regulations of 1957 lays down that no shot should be fired at any place before ground unless the face of the coal was naturally wet or drenched with water to such an extent that there was no danger of dry coal dust being raised into the air by the shot. Spraying of water on this coal face before and after blasting is a step taken for the safety of the mine and the workers. Regulation 45 (b) of Coal Mining Regulations lays down that it is the responsibility of the shot firers to take all steps for the safety of the mines and the workers and spraying of water on the coal face is one of the steps that has to be taken in that connections. It is in the evidence of M. W. 2 that coal cutters are the assistants of shot firers so far as blasting and suppression of coal dust. So when the coal cutters refused to spray water on the coal face in K. K. 1 inspite of the orders the superior officials of the mine, it amounted to wilful insubordination or disobedience of a lawful order in regard to the safety instructions given to them by the officials of the Management and it came within the purvlew of Company's Standing Order 16(1) whereunder a defaulting employee was liable to be suspended, fined or dismissed without notice or any compensation in lieu of notice if he was found to be guilty of misconduct provided that suspension without now whether as a punishment or pending an enquiry, should not \$\infty\$

22. Evidence had been let in by the Management that proper enquiries consistent with principles of natural justice have been held and punishment imposed. Hence there is no substance in the workmen contending that the management was harassing the coal cutters in K. K. I Incline and illegally kept them under suspension and withheld payment of wages for the period of suspenion. I hold accordingly in regard to the first limb of the issue. In view of my above finding, I hold under the second limb of the issue that the workmen are not entitled to any relief in this regard.

Award passed accordingly.

Written in my own hand and given under my hand and the seal of the Industrial Tribunal (Central) Hyderabad on 19th April, 1971. (Sd.) T. CHANDRASEKHARA REDDY,

Industrial Tribunal.

#### APPENDIX OF EVIDENCE

## Witnesses examined for Workmen

Witnesses examined for Management

W. W. 1: D. Chandraiah. W. W. 2: Meera Saheb. W. W. 3: M. Ch. Narasiah. W. W. 4: M. Komariah

M. W. 1: K. R. Basu M. W. 2: D. C. Gupta. M. W. 3: S. W. Tilak. M. W. 4: K. Lakshmana Rao. M. W. 5: P. T. Thomas

## Documents exhibited for Workmen;

Ex. W1: Order of suspension dated 4th June, 1968 issued by the Management to M. Komariah.

## Documents exhibited for Management

Ex. M1: Memorandum of settlement under Section 12(3) of I.D. Act between the Management and Singareni Collieries Workers Union during the course of conciliation proceedings held by the Regional Labour Commissioner (C) Hyderabad, on 14th December 1967.

Ex. M2: Domestic enquiry file of Elupula Lingaiah. Coal cutter, K. K. 1.

Ex. M3: Domestic enquiry file of Durgam Somaiah and Mosam Durgaillu.

Ex. M4: Domestic enquiry file of Babbera Durgaiah. Coal cutter.

Ex. M5: Domestic enquiry file of Mosam Durgaiah, Chillunula Lingaiah and Chenneri Ramulu,

 Ex. M6: Domestic enquiry file of Page Marasiah.
 Ex. M7: Letter dated 4th August, 1967 of Joint Director of Mines Safety,
 Warangal addressed to the Agent, K. K. 2 Incline stating that certain violation were detected.

Ex. M8: Sirdar's Report of Daily examination (Book).

Ex. M9: Domestic enquiry file of Bheema Posham, coal cutter.

Raheem, Nichakola Ex. M10: Domestic enquiry file of Abdul and Adkapuram Posham, Coal cutters.

Ex. M11: Domestic enquiry file of Akkapalli Banaiah, Bopanini China Rajam and Siddaboina Lasmaiah.

Ex. M12: Domestic enquiry file of Bheema Rayalingu, Dabbeta Mallaiah Masam Durgaiah and Byreneni Ramaiah.

Ex. M13: Domestic enquiry file of Gurrapu Lingaiah.

Ex. M14: Domestic enquiry file of Elupula Lingaiah.

Ex. M15: Domestic enquiry file of Durgam China Lingalah.

Ex. M16: Domestic enquiry file of Samapalli Narasiah.

Ex. M17: Domestic enquiry file of Thogali China Posham.

Ex. M18: Domestic enquiry file of Sindamalla Gattaiah, Barla Mallaiah, Mutham Bheemaiah and Kasu Kistaiah.

Ex. M19: Domestic enquiry file of Konda Venkatty, Sundamalla Dharamalah, Moutham Komariah and Babbera Durgalah.

Ex. M20: Domestic enquiry file of Thota Lingaiah, Montham Komariah and Bheema Ramaiah.

Ex. M20(a): Statement of Moutham Komariah and Bheema Ramaiah. (Sd.) T. CHANDRASEKHARA REDDY,

Industrial Tribunal. [No. 7/36/68-LR. II.] S.O. 2983.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the Singareni Colleries Company Limited, Post Office Kothagudem Colleries (Andhra Pradesh) and their workmen, which was received by the Central Government on the 15th July, 1971.

## BEFORE THE INDUSTRIAL TRIBUNAL, (CENTRAL) AT HYDERABAD

### PRESENT:

Sri T. Chandrasekhara Reddy, B.A.B.L., Chairman, Industrial Tribunal, Andhra Pradesh Hyderabad.

INDUSTRIAL DISPUTE No. 25 of 1970

#### BETWEEN

Workmen of Singareni Colleries Company Limited, Kothagudem.

### AND

The Managment of Singareni Collieries Company Limited, Kothagudem,

#### APPEARANCES

Sri A. Lakshmana Rao, Advocate, for the Workmen.

Sri P. S. Jayachandra Rao, Divisional Personnel Officer, S.C. Co. Ltd., and Sri K. Srinivasa Murthy, Advoate, for the Management.

#### AWARD

By an Order dated 1st June, 1970 issued by the Ministry of Labour, Employment and Rehabilitation of the Government of India, the following industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Kothagudem, and their Workmen was referred for adjudication to Sri Mohammed Najmuddin, my predecessor and after the expiry of the term of his appointment, it was referred to me for adjudication. The issue referred is:

- "Having regard to the actual duties performed by Sri Kandi Malliah as a Turner in Venkateshkhani of Rudrampur Workshop since several years, how far is the Management of Singareni Collieries Company Limited, Kothagudem justified in treating him as Mason and Roller Mazdoor and paying him Mazdoor Wages (Old Category III). If not to what relief is the workman entitled and from what date?"
- 2. The Workmen represented by the General Secretary of the Andhra Pradesh Singareni Colliery Mazdoor Sangh (INTUC) have filed a claims statement alleging that the said Kandi Makayya was a permanent employee of the respondent Company, that he was originally employed as M. & R. Mazdoor, that he worked as a turner in V. K. Workshop since about 10 years as was manifest from the entries in the records of the Company such as Allocation Register. Incentive Statement etc., which go to show the nature of duties performed by him entitling him for incentive bonus and that therefore he was entitled to Category VII wages (Old Category as per Mazumdar Award) for the above period. They averred that the Management was paying only Category III emoluments illegally on the ground that no one should officiate in a higher post without prior sanction of the General Manager and that one should claim officiating allowance within 10 days. According to the Workmen, this contention of the Management was not relevant. Further they submitted that the Labour Enforcement Officer (Central) Kothagudem. formed during his inspection and enquiry that K. Mallayya was doing the duties of a Turner and that he had never worked as M. & R. Mazdoors. They further pleaded that turners being workshop machinists who had to operate

lathes, drilling machines, bandsaws machines, boring and milling machines, the contention of the Management that there were only four turbine machines. While there were six turners already, that therefore there was no necessity for K. Mallayya to do the duties of a turner, was misleading and false. The turners were entitled to be placed in old categories IV, V. VI, VII, VIII and IX depending on the skill involved in their work and having regard to the nature of the work and skill of the said Mallayya, he was entitled to be placed in Category VII. But the Management has resorted to an unfair labour practice of utilising his services as a turner and not paying Category VII wages. So they prayed that the Management should be directed to place K. Mallayya in Category VII as turner with retrospective effect and pay him arrears of wages as such.

- 3. While admitting that Kandi Mallayya was a permanent employee of the Company, the Management alleged in their counter statement that the schedule of the reference of the dispute itself was misconceived as it assumed that the worker in question had been performing the duties of a turner since several years although it was not correct factually, that the said Mallayya was employed as Maintenance and Repairs (M & R) Mazdoor and was working as such in the workshop and that he was not treated as Mason and Roller Mazdoor as described in the schedule. The Management denied that the workers' services as a turner were utilised by them and alleged that the records did not show that he was doing the duties of a turner and that there were several sections in the workshop and that Mazdoors were attached to different rent sections for miscellaneous works and that the worker in question was in Turner section and was helping Turners in cleaning machines and removing the scrap and waste from the machines. The Management further averred that there was a group incentive for various sections and mazdoors attached to those sections also became eligible for incentive bonus under the scheme and so the circumstance that he was getting incentive bonus under the scheme and so the circumstance that he was getting incentive bonus in the group would not automatically entitle him to become a turner unless he was engaged as such. In asmuch as he was employed as M and R Mazdoor only and was getting incentive bonus on the basis of group incentive scheme the question of placing him in any higher category or paying him the difference in wages for the past did not arise. They also contended that in the absence of any demand or repesentation for over 10 years the claim for his promotion with retrospective effect was without any basis and pleaded ignorance of the nature of the enquiries made by the Labour Enforcement Officer (Central) and the basis for his finding. Further they were not parties to it. According to them apart from 6 turners who we
- 4. They denied that Kandi Mallayya was working as a Turner and was getting incentive by virtue of his working as a Turner and asserted that the said Mallayya was employed as M and R Mazdoor only and so the question of placing him in any higher Category did not arise. They also denied that they had resorted to unfair labour practice or attempted to deny him the appropriate category.
- 5. The Management pleaded that at the time of the implementation of the Wage Board's recommendations, they agreed to adopt Bengal and Bihar Categorisation as applicable to Tindals under an agreement with all the Unions including the A. P. Singareni Collieries Mazdoor Sangh. As a result of the memorandum of settlement with this Union on 17th October, 1969 under Section 12(3) of the Industrial Dispute Act, it was agreed that 6 M and R Mazdoors of Rudrampur Workshop would be allotted new Category 4 on the basis of seniority-cummerit, that Sri M. K. V. Subbayya, Agent will select the six workmen and that his decision would be final. Accordingly 6 M and R Mazdoors including the said Kandi Mallayya were allotted new Category 4 with effect from 14th March, 1968 and though an office order was issued as early as on 18th March, 1970 to that effect, neither the worker nor the Union has raised any objection. Hence they submitted that the allegation that the said K. Mallayya was working as a turner during the past was false and prayed that the reference might be rejected.
- 6. Two witnesses viz., Kandi Mallayya and another an examined for the workmen while three witnesses are examined for the Management. Exs. V1 to W8 have been marked for the workmen and Exs. M1 to M12 for the Management.

- 7. While the workmen contended that Kandi Mallayya was working as a Turner for about ten years in Venkatesh Khani of Rudrampur workshop and that he was paid incentive bonus, that the Management was paying him only old category III wages although he was entitled to old category VII emoluments the Management resisted the claim of the workmen on the ground that Kandi Mallayya had never worked as a turner, that he was always working as a M. & R Mazdoor, that there was no necessity for them to utilize the serve es of Mallayya as a turner and that therefore the order of reference itself was made on a wrong assumption and has to be rejected.
- 8. I am unable to agree with the above submission made on behalf of the Management. The jurisdiction of the industrial tribunal to adjudicate upon an industrial dispute springs from the reference made to it and is confined to the industrial disputes as referred to it, vide, working journalists of the "Hindu" Madras Vs. The Hindu and others, 1961 (I) L.L.J. page 288. To the same effect is the decision in A. Khader Mohideen Brothers (Express Beedi Factory) Gudiyatham Vs. Their Workmen and another, 1960—(II) L.L.J. page 669. The relevant passage is at page 672. "The jurisdiction being limited to the matters referred to it by the Government, it would have no right to travel outside the reference and proceed to adjudicate matters not referred to it."
- 9. In the same decision at page 673 His Lordship, observed that "The jurisdiction being by virtue of the statute and limited by the terms of the reference under the section, it would not be open to the workers and management to confer jurisdiction upon the tribunal on a question not covered by the reference". So if the reference was made on an incorrect assumption, it was not open to the tribunal, to enlarge by its own choice the scope of the reference and widen the issues for decision and the field for enquiry including the evidence. This is the principle of the decision Ramamurty (W.P.A.R.) and Others Vs. Tirunelveli Dt. National Plantation Workers Union and others, 1963 (I) L.L.J., page 507.
- 10. In the light of the principles laid down in the above decisions the above contention raised on behalf of the Management is over ruled.
- 11. As stated already Kandi Mallayya the worker in question and another were examined for the Workers and three witnesses were examined for the Management.
- 12. W.W.1 Kandi Mallayya deposed that he was working as a Turner in Venkatesh Khani Workshop since 1956, that there were six turners in the workshop including himself, that the other five turners Sambamoorthy, Razack Devayya, Rangaswamy and Latif, had been placed in Category V while he alone had been placed in Category IV although there was no difference in the nature and quality of the work done by the other five and himself and that therefore he too was claiming category V. According to him there were three shifts previously and two turners worked in each shift but after Krishnamurthy, the Engineer came, they were all working in one shift and were doing the duties entrusted to them by the engineer. He would say that he was appointed as a Turner in 1956 but he did not produce the order appointing him as a turner. That apart even the reference is to the effect that he was merely doing the duties of a Turner and not that he had been appointed as a turner at any time. He admitted that he had been designated as a Mazdoor and that he had been recently promoted as a Tindal.
- 13. W.W.2 is Devayya a Turner working in Venkatesh Khani Workshop since 1956. Even according to him there were six turners and five machinists in the workshop. There were four big and one small lathe machines, 2 key way machines, 2 saw machines, 3 drilling machines, one cutting machine, one chipping machine one slotting machine and two dye machines in the workshop. The small lathe machine was not worked daily and was worked only when it was absolutely necessary. While the other four were operated daily. The machinists never worked on the lathe machines, slotting machine and chipping machines but the turners worked on the lathe machines. He too stated that W.W.1 was working as a turner and that there was absolutely no difference in the nature and quality of the work done by W.W.1 and the other turners and that W.W.1 was in category IV while they were in Category V. Performance

reports were sent to the Industrial Engineering Department by the Engineer and incentive bonus was paid only to persons working on the machines like lathes and to blacksmiths. He denied the suggestion that W.W.1 was cleaning the lathe machines. He further stated that whenever one of the turners worked on the chipping and slotting machines W.W.1 worked on the lathe machine. There were three shifts previously but for the past two years there was only one general shift and five turners worked in the general shift and the other turner worked in the shift by rotation. Even he admitted that it was the Engineer that allotted work to them and that they including W.W.I. were reporting to the Engineer about the work.

14. M.W.1 is the Junior Engineer working in Venkatesh Khani Workshop since September, 1967. His evidence is that W.W.1 joined the Company in 1960 as a maintenance and repairs mazdoor and that he was shown as such in the records in 1960, 1961 and even in 1962 and 1963. In support of his evidence he filed Exs. M1 to M4. In 1967, 68, 69 and 70 W.W.1 worked as a Mazdoor in the machine shop but Exs. M5 and M6 do not show the name of Kandi Mallayya (W.W.1). He stated that there was one shift at present, that there were five turners and four working machines that there were five machinists in the workshop, that usually one turner and three machinists were in spare and that they worked only in the absence of a turner or a machinist.

According to him he had not asked Kandi Mallayya to do the work of a turner at any time and the machinists and blacksmiths were covered by the incentive bonus scheme and he was sending performance reports to the industrial engineering department. Calculation was made on the basis of the performance by the Industrial Engineering Department (I.E.D.). He explained that along with the turner a mazdoor who works with him also was getting the incentive bonus, Kandi Mallayya, the workman in question was getting incentive bonus like that. A Hammerman was also getting incentive bonus. But he admitted that the incentive bonus scheme had been introduced even before he joined and that he had not mentioned the nature of duties performed by Kandi Mallayya in Ex. M4 because he had been shown as Mazdoor. No incentive bonus was paid after 1967. M.W.2 is the Labour Enforcement Officer (Central) at Kothagudem. His evidence is that he inspected the Venkatesh Khani Workshop on 10th March, 1969 and found K. Mallayya (W.W.1) assisting Razaack, the turner althrough he was designated as a M & R mazdoor. But he admitted that there was no designation of Turner Helper in the Wage Board Recommendations. He says that he enquired Razaack, the turner, Kandi Mallayya, the worker in question and Krishnamurthy, the Junior Engineer (M.W.1) and sent up the report Ex. M10 dated 10th March, 1969. Ex. M10 shows that on verification he found that Kandi Mallayya had worked regularily as a turner when three shifts were working, that since the introduction of single shift, the six turners were engaged only on four lathes and there was no necessity for utilising the services of K. Mallayya as a turner and that he worked independently as a turner.

15. No doubt the entries in Exs. M1 to M4 show that K. Mallayya, the workman in question was designated as Machine shop mazdoor but no job description was given. The entries generally do not give any indication as to the nature of the work entrusted and done by him. In the entry relating to 3rd February, 1963 (in Ex. M4) in the column "job description", it is noted as 'working'. In the entry relating to 4th February, 1963 the name of K. Mallayya only is written even the column relating to designation is left unfilled. Thus the entries in Exs. M1 to M4 do not throw any light upon the nature of work done by him. While the evidence of W.W.1 and even that of W.W.2, a Turner in Venkatesh Khani Workshop swear that Kandi Mallayya (W.W.1) was doing the duties of a turner when there were three shifts and that after September, 1967 i.e., after M.W.1 took charge, there was only one shift. M.W.1 has no personal knowledge of the nature of the work done by W.W.1 prior to his taking charge. But the evidence of M.W. 2, the Labour Enforcement Officer, who sent up his report Ex. M10 is to the effect that on verification found that W.W.1 was doing the duties of a turner prior to the introduction of one shift after M.W1 was bosted to Venkatesh Khani, in September, 1967. Even subsequently he found W.W.1 on

10th March, 1969 working as a Turner helper helping Razaack the turner in the work. Therefore there cannot be any doubt that W.W.1 performed the duties of a Turner in Venkatesh Khani of Rudrampur workshop from the beginning of 1960 to the end of 1967. It is not denied that he was not paid old category VII wages for the above period along with other turners. It is also in the evidence of W.W.1 and W.W.2 that W.W.2 and other turners were paid new category V wages after the Implementation of the wage board recommendations. On the other hand it is clear that he was not only designated as M and R Mazdoor and was paid wages in that capacity. Hence I find that the action of the Management utilising the services of W.W.1 as a turner during the above mentioned period and paying him wages as M and R mazdoor (old category III) is unjust and unfair.

16. But the Management has been contending that a dispute was raised by the Union to the effect that M and R mazdoors of Venkatesh Khani in old Category III, who were placed in New Category II, should be allotted New Category as Tindals and that a settlement was arrived at on 17th October, 1969 between the management and Andhra Pradesh Colliery Mazddor Sangh as contained in Ex. M11, that according to the terms of the said agreement six mazdoors of Venkatesh Khani should be allotted new category IV and emoluments should be paid as such and that Sri M. K. V. Subbayya, the Agent should select those six persons. According to the Management, the terms of settlement had been imperented and W.W.1 was placed in category IV. It is argued by Mr. Srinavasamurthy on the basis of the evidence of M.W.3 that Kandi Mallayya had forfeited by the control of the cont his right to claim Vth Category emoluments in view of the terms of the settlement Ex. M11 and that therefore the reference should be answered accordingly. But the learned counsel for the workmen contends that the settlement dated 17th October, 1969 (Ex. M11) would not bar them from claiming Category V emolu-October, 1969 (Ex. MII) would not bar them from claiming Category V emoluments and that the demand then was Category IV and that the settlement was in regard to Tindals. It is clear from Ex. M9 that the Union in question was agitating in September, 1968 that W.W.1 was performing the duties of a Turner since 10 years and that he was entitled to Category VII (old) wages while he was paid only old category III wages and that it amounts to unfair labour practice. Ex. M12 is the minutes of discussions held on 12th December, 1968 before the Assistant Labour Commissioner, Vilayawada in relation to the alleged unfair labour practices in respect of Kandi Mallayya and it was closed then with the object of raising it afresh. Subsequently it is manifest from Ex. M10 that M.W.2 was sent by the Assistant Labour Commissioner (Central) Vijayawada to verify the nature of the duties performed by W.W.1 at that time and prior to the date of inspection and M.W.2 sent up his report Ex. M10 on verification. Thereafter strike notice as evident from Ex. M13 was issued by the Union on 1st October, 1969 and a settlement Ex. M11 was entered into between the parties. It is clear from clause V of Ex. M11 that the mazdoors selected under clause 4 therein should be allowed higher emoluments in new category IV with effect from 14th March. 1968 and for that purpose they would be allowed the benefit of proforms fixation in New Category IV with service increments as from 15th August. 1967, the actual arrears on the basis of the revised fixation being paid from 14th March 1968 under clause 6 of Ex. M11 it was stipulated that the arrears mentioned above should be paid within two months thereafter. It is therefore clear that the same Union that has raised the present industrial dispute raised the same contentions previously and arrived at a settlement Ex. M10 on 17th October, 1969 in regard to the Category and emoluments of Kandi Mallayva and others having regard to the duties performed by the said Mallayva and others for the past many years. So it cannot be said that the settlement was in regard to Tindal only. This settlement is arrived at under Section 12(3) of the Industrial Disputes Act. With the result that it is binding not only on Kandi Mallayya and the workmen, who appeared before the concerned authority but also on all persons who are workmen in the establishment or part of the establishment to which the dispute relates, and all workmen who are in the extablishment on the date of the dispute as well as all the workmen who are subsequently employed in the establishment or part of the establishment to which the dispute relates. Similarly such settlements bind not only the employer who is actually a party to the industrial dispute but also his heirs successors or assigns in respect of that establishment. It is to be noticed that no period for which the settlement Ex. M10 would be binding is fixed. Section 19(2) of the industrial Disputes Act provides that a settlement shall be binding for a period as is agreed upon by the parties or if no period is agreed upon for six months

from the date on which the memorandum of settlement is signed by the parties to the dispute and it shall continue to be binding for a further period of two months from the date on which a notice in writing of an intention to terminate the settlement is given by one of the parties to the other party or parties to the settlement. In the instant case it is not the case of the workmen that the settlement did not come into operation immediately or that they had issued a notice terminating the settlement dated 17-10-1969 (Ex. M11). The present reference is dated 1-6-1970. In the circumstances I hold that the settlement under Ex. M11 was in force and that as it had not been terminated according to law, it is deemed to have continued to be binding on the parties to the reference on the date of reference and so it operates as a bar to the present reference. Consequently, Kandi Mallayya will not be entitled to any relief. I hold accordingly on the issue In this view Kandi Mallayya is not entitled to any relief.

Award is passed accordingly.

Written in my own hand and given under my hand and seal of the Industrial Tribunal, Hyderabad on 27th April, 1971.

(Sd.) T. CHANDRASEKHARA REDDY, Industrial Tribunal.

## APPENDIX OF EVIDENCE

Witnesses examined for Workmen: W.W.1: Kandi Mallayya. W.W.2. Ch. Devalah.

Witnesses examined for Employers: M.W.1: P. Krishnamurthy. M.W.2.: C. Chandrasekhara Reddy. M.W.3: M. V. Ramakrishna Rao

### Documents exhibited for Workmen

- Ex. W1: Smithy & Machine Shop-workshop-V. K. No. 7 Incline-Incentive Bonus Percentage Report for the Month of July, 1967 issued by Industrial Engineering Department dated 22-4-1968.
- Ex. W2. Incentive Bonus Percentage Report issued by Industrial Engineering Dept., dt. 9-5-1968 for the period from 1-10-67 to 31-10-67.
- Ex. W3: Incentive Bonus percentage Report issued by Industrial Engineering Dept., dt. 9-5-1968 for the period from 1-9-1967 to 30-9-1967.
- Ex. W4: Incentive Bonus Percentage Report issued by Industrial Engineering Dept., dt. 8-5-68 for the period from 1-8-67 to 31-8-67.
- Ex. W5: Percentage report for the month of April, 1967 of Incentive Bonus for Smithy & Machine Shop, Workshop V. K. No. 7 Incline issued by Industrial Engineering Department dt. 29-7-1967.
- V6: Incentive Bonus Percentage Report of Industrial Engineering Dept., dt. 1-3-1967 for the period from 1-1-67 to 31-1-1967.
- Ex. W7: Incentive Bonus Percentage Report of Industrial Engineering Dept., dt. 21-3-1966 for the period from 1-8-65 to 31-8-65.
- Ex. W8: Incentive Bonus Percentage Report of Industrial Engineering Dept., dt. 21-3-1966 for the period from 1-1-65 to 30-4-65.

## Documents exhibited for Employers:

- Ex. M1: Register showing daily allocation of work from 27-11-1960 to 28-2-1961 of Kandi Mallayya as mazdoor.
- Ex. M2: Register showing daily allocation of work from 2-3-1961 to 26-6-1961,
- Ex. M3: Register showing daily report of Workshop, Rudrampur from 6-6-1962 to 12th September, 1962.
- I4: Register showing daily allocation of Workshop, V. K. No. Incline Rudrampur Division from 1st Jan.. 1963 to 31-3-1963. Ex. M4:
- Ex. M5: Daily Allocation Register from 15-9-67 to 13-5-1969 of Singareni Collieries Co. Ltd., Kothagudem.
- Ex. M6: Register of S. C. Co. Ltd., from 4-11-1969 to 14-11-1970
- Ex. M7: Circular No. P.2 2823 158 dt, 20-1-1968 from the Singareni Collieries Co. Ltd., Kothagudem, to all Pits & Department and all

Collieries showing Officiating allowance or Acting Allowance to Daily rated workers.

- Ex. M8: Tindal Mazdoors Allocation Book of V. K. Workshop, from 27-6-70 to 26-12-1970, of S. C. Co. Ltd. Kothagudem.
- Ex. M9: Lr. No. APCMS|V|RD|68-675 dt. 2nd September, 1968 from Sri S. Narayana Reddy, General Secretary addressed to the Assistant Labour Commissioner(C), Vijayawada, regarding Unfair labour practices in respect of Sri Kandi Mallaiah, Workshops.
- Ex. M10: Verification Report regarding the nature of duties performed by Sri Kandi Mallaiah, Rudrampur Workshop, S. C. Co. Ltd., Rudrampur, of No. KG. 17 (4)|69-3 dt. 10-3-1969 from L.E.O. (C), Kothagudem submitted to the ALC(C), Vijayawada.
- Ex. M11: Memorandum of Settlement under Section 12(3) of the I.R. Act Conciliation Proceedings held on 17th October, 1969, before the Asst. Labour Commissioner (Central) Vijayawada at Kothagudem.
- Ex. M12: Minutes No. ALC|35(134)|68 dt 12-12-1968.
- Ex. M13: Lr. No. APCMS|GEN|464|69, dt. 1-10-1969 of S. Narayana Reddy, General Secretary addressed to the General Manager, S. C. Co. Ltd., P. O. Kothagudem.
- Ex. M14: Lr. No. P. 23|2843|549 dt. 18-3-1970 from the General Manager, Singareni Collieries Co., Ltd., Kothagudem, to the Agent Kothagudem.

[No. 7]17[69-LRII].

### New Delhi, the 2nd August 1971

S.O. 2984.—Whereas an industrial dispute exists between the employers in relation to the management of Bhanora Colliery of Messrs Equitable Coal Company Limited, Post Office Charanpur, District Burdwan (hereinafter referred to as the said Company) and their workmen represented by the Colliery Mazdoor Congress (Independent), Gorai Mansion, G. T. Road, Asansol (hereinafter referred to as the said Union);

And whereas the said Company and the said Union have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration of the person specified therein and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the privisions of sub-section (3), of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement.

### AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947).

#### BETWEEN

NAME OF PARTIES;

Representing the employers.

Shri A. K. Tarafadar, Labour

Officer of M|s. Equitable Coal

Company Limited, P.O. Charanpur (Burdwan).

Representing the workmen.
Shri Jagadish Pandey, General
Secretary, Colliery Mazdoor Congress (Ind), Gorai Mansion, G.T.
Road, Asansol.

It is hereby agreed between the parties to refer the following industrial disputes to the arbitration of Shri R. B. Mazumdar, Assistant Labour Commissioner (Central), Chaibasa.

(i) Specific matters in dispute.

"Keeping in view the duties performed by Shri Lal Behari Singh during the last two years at Bhanora (Bhanora Incline) Colliery of M|s. Equitable Coal Company Limited, P.O. Charanpur, Dist. Burdwan, whether the management is justified in calling upon him to work underground as a Timber Mistry w.e.f. 10th May, 1971? If not, to what relief is he entitled?".

(ii) Details of the parties to the dispute including the name and address of Estt. or undertaking involved. Bhanora Colliery of M|s. Equitable Coal Co, Ltd., P.O. Charan-Pur, Dist. Burdwan.

(iii) Name of the union, if any, representing the workmen in question. Colliery Mazdoor Congress (Ind), Gorai Mansion, G.T. Road, Asansol.

(iv) Total No. of workmen employed in the undertaking affected. 2900.

(v) Estimated No. of workmen affected or likely to be affected by the dispute.

1 (one).

We further agree that the decision of the arbitrator shall be binding on us. The arbitrator shall make his award within a period of six months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aformentioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

### Witnesses-

1. Sd/~ Illegible 14-7-1971.

2. Sd/- Illegible 14-7-1971.

### SIGNATURE OF THE PARTIES:

Sd/- A. K. TARAFADAR, Representing the employers.

Sd/- Jagadish Pandey, 14-7-1971.

Representing the workmen.

[No. L-1913|9|71-LR,II] R. KUNJITHAPADAM, Under Secy.

## नई दिल्ली, 2 अगस्त 1971

का का 29 54 मत: मैं सर्व ईक्बीटेबल कोल कम्पनी लिमिटेड, डाक्बर चरनपुर, जिला बर्दवान (इसके बाद उक्त कंम्पनी के रूप में निर्देशित की गई है) की मनोरा कोलियरी के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व कोलियरी मजदूर कांग्रेस (स्वतंत्र), गौराय में जन, जी 0टी 0 रोड, प्रासनसोल (इसके बाद उक्त यूनियन के रूप में निर्देशित किया गया है) करती है, एक शौद्योगिक विवाद विद्यमान है;

श्रीर यतः उक्त कम्पनी श्रीर उक्त यूनियन ने श्रीद्योगिक विवाद श्रधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उपबन्धों के श्रनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें विणित व्यक्ति के माध्यस्थम् के लिए निर्देशित करने का करार कर लिया है श्रीर उक्त माध्यस्थम् करार की एक प्रति केन्द्रीय सरकार को भेजी गई है;

श्रतः, श्रवः, भ्रोद्योगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (3) के उपवन्धों के श्रनुसरगमें, केन्द्रीय सरकार उक्त माध्यस्थम् करार को एतद्द्रारा प्रकाशित करती है।

## (करार)

(ग्रीद्योगिक विवाद भ्रधिनियम, 1947 की धारा 10-क के भ्रधीन करार)

पक्षकारों के नाम:

नियोजकों का प्रतिनिधित्व करने वाले : श्री

श्री ए० के० तरफदार,श्रम ग्रधिकारी, मैं सर्स ईक्वीटेबल कोल कम्पनी लिमिटेड, डाकघर चरनपूर (बर्दवान)।

कर्मकारों का प्रतिनिधित्व करने वाले :

श्री जगदीश पांडे, महा सचिव, कोलियरी मजदूर कांग्रेस (स्वतंत्र), गोराय मेंशन, जी०टी० रोड, ग्रासनसोल ।

पक्षकारों के बीच निम्नलिखित श्रीद्योगिक विवादों को एतद्द्वारा श्री भ्रार० बी० मजुमदार सहायक श्रमायुक्त (केन्द्रीय), चैबासा के माध्यस्थम् के लिए निर्दे शित करने का करार किया गया है।

1. विनिर्दिष्ट विवाद ग्रस्त विषय:

मैं सर्स ईक्वीटेबल कोल कम्पनी लिमिटेड, डाकघर चरनपुर, जिला बर्देशन की मनोरा (मनोरा ईक्लाइन) कोलियरी में गत दो वर्षों के दौरान श्री लाल बिहारी सिंह द्वारा किए गए कार्यों को ध्यान में रखते हुए,क्या प्रबन्धतंत्र का उसे 10-5-71 से टिम्बर मिस्त्री के रूप में भूमि के नीचे काम करने को कहना न्यायोचित हैं? यिंब नहीं, तो वह किस ध्रन्तोष का हकदार हैं?

 विवाद के पक्षकारों का विवरण, जिसमें ग्रंतविलित स्थापन या उपक्रम का नाम ग्रीर पता भी सम्मिलित है।

मैसर्स ईक्वीटेबल कोल कम्पनी लिमिटेड, डाकघर चरनपुर, जिला बर्ववान की मनोरा कोलियरी।

- यदि कोई संघ प्रश्नगत कर्मकारों का कोलियरी मजदूर कांग्रेस (स्वतंत्र), गोराय मेंगान,
   प्रतिनिधित्व करता हो तो उसका नाम।
   जी 0 टी 0 रोड, श्रासनसोल।
- प्रभावित उपक्रम में नियोजित कर्मकारों 2,900 ।
   की कुल संख्या ।
- विवाद द्वारा प्रभावित या सम्भाव्यतः 1 (एक)
  प्रभावित होने वाले कर्मकारों की
  प्राक्कलित संख्या ।

हुम यह करार भी करते हैं कि मध्यस्थ का विनिश्चय हम पर भ्राबद्ध कर होगा।

मध्यस्थ प्रयमा पंचाट छः मास की कालावधि या इतने ग्रीर समय के भीतर जो हमारे बीच पारस्य-रिक लिखित करार द्वारा बढ़ाया जाय, देगा। यदि पूर्व विणत कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्यम् के लिए निदेश स्वतः रद्द हो जायगा ग्रीर हम नए माध्यस्थम् के लिए बातचीत करने कोः स्वतंत्र होंगे ।

## पक्षकारों के हस्ताक्षर

ह०/-ए० के० तरफदार, 14/7/71 नियोजकों का प्रतिनिधित्व करने वाले।

> हः/-जगदीस पांडे, 14/7/71 कर्मकारों का प्रतिनिधित्व करने वाले ।ः

साक्षी

- 1. हु । / श्रस्पब्ट, 14 7 71
- 2. ह०/-प्रस्पष्ट, 14-7-71

[सं० एल०--1913/9/71--एल० ग्रार०--2]ॄ्र भार० कुंजीथापदम,

श्रवर सचिव, भारत सरकार ।

## (Department of Labour & Employment)

New Delhi, the 23rd July 1971

S.O. 2985.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the National and Grindlays Bank Limited and their workmen, which was received by the Central Government on the 19th July. 1971.

## BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Thursday, the first day of July, One thousand nine hundred and seventy-one:

#### PRESENT:

Thiru K. Seetharama Rao, B.A., B.L., Industrial Tribunal.

# INDUSTRIAL DISPUTE No. 18 of 1970

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947, between the Workmen and the Management of National and Grindlays Bank Limited, Madras)

#### Between:

- 1. The Joint Secretary,
  - All India Bank Employees Federation,
  - 13, Second Line Beach, Madras-1.
- 2. The General Secretary,

National & Grindlays Bank Employees Union, Madras. (Impleaded as per Order dt. 9-7-70 in Misc. Application No. 150/70 in I, D. 18/70).

3. The General Secretary,

All India National & Grindlays Bank Employees Federation, Madras (Impleaded as per order dated 9-7-70 in Misc. Application No. 151/70 in I. D. 18/70)

#### And

The Manager,

National & Grindlays Bank Limited, 378, N. S. C. Bose Road, Madras-1.

REFERENCE:—Order No. 23/64/69-LRIII, dated the 10th October. 1969 of the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), New Delhi, Government of India.

This dispute coming on for final hearing on Wednesday the 9th day of June, 1971 on preliminary issue about the dispute being an Industrial Dispute or not, upon perusing the reference, Claim and Counter Statements and all other material papers on record and upon hearing the arguments of Thiruvalargal B.R. Dolia, G. Venkataraman and A. L. Somayaji for M/s. Aiyar and Dolia Advocates appearing for the Union No. 1 and of Thiruvalargal, P. J. Seetharaman and K. S. Janakiraman Advocates appearing for the union No. 2 and of R. Sadasivan, General Secretary of union No. 3 and of Thiruvalargal T. S. Gopalan and K. Kasthuri for M/s King and Partridge, Advocates Appearing for the Management and stood over till this day for consideration this Tribunal passed the following:

#### AWARD

The issue for consideration is as follows:--

"Whether the Branch of the National and Grindlays Bank Limited, at Madras is justified in refixing the seniority of the four employees named below, counting their service from the date of their actually joining the Madras Branch only, in contravention of the assurance given to them (vide communications No. nill. dated the 8th August, 1960 from the Joint Chief Manager, Lloyds Bank Limited, Calcutta

addressed to the Managers of Bank and letter dated the 22nd November, 1960 of the Joint Chief Manager of the Lloyds Bank Limited, Calcutta and the National and Grindlays Bank Limited, addressed to the employees)? If not, to what relief are the workmen entitled?

Name of the employees: 1. I. Kannan 2. A. Rawoof 3. R. V. Perumal and 4. V. G. K. Nayar."

- 2. The contention by the All India Bank Employees Federation, to be described hereafter in this award, as the claimant Union, in this that the four employees mentioned in the Central Government order are Clerks working in the Madras Branch of National & Grindlays Bank. They were transferred to Madras Branch, during 1957 to 1960. The understanding was that their prior services in Lloyds Bank Limited, would count in National Grindlays Bank Limited.
- 3. The complaint is that such prior service in Lloyds Bank is now being denied for purpose of promotion to the post of Special Assistant/Head Clerks. The agreement between the Management of National & Grindlays Bank and the other union known as National & Grindlays Bank Employees Union (Union No. 2) to the effect that service in Madras Branch alone is the basis for promotion to the post of Special Assistant is an agreement that runs counter to the very terms or merger of the Lloyds Bank and National & Grindlays Bank Limited. The Management has got to ignore the understanding or agreement with the union known as National & Grindlays Bank Employees Union. (Union No. 2)
- 4. Now Union No. 2 known as National & Grindlays Bank Employees Union has raised the contention that, in the eye of the law, the dispute specified in the G.O. can never be an Industrial Dispute. All India Bank Employees Federation has no representative character. It is Union No. 2 that represents 99 per cent of Employees of National & Grindlays Bank. Teh promotions have got to be on branch-wise basis. The four employees mentioned in the G.O. were members of Union No. 2 and they are bound by the settlement concluded with the Management. Further, the All India Bank Employees Federation has no status to raise this dispute.
- 5. Union No. 3 known as All India National & Grindlays Bank Employees Federation contended that the claimant union had no status to raise disputes on behalf of Employees in the Banking industry. The settlement on 2-7-1968 brought into vogue the post of Special Assistant and the seniority was always fixed on branch-wise basis and that has to be preserved and that the contention raised by All India National & Grindlays Bank Employees Federation (Union No. 3) is correct.
- 6. The Management contended that the present order of reference has been made at the instance of just four employees of the Bank namely Thiru I. Kannan, Thiru A. Rawoof, Thiru R. V. Perumal and Thiru V. G. K. Nayar who are alleged to be members of All India Bank Employees Federation. The Management is employing about 342 workmen and excepting the four employees mentioned above, all the other workmen, have not raised this dispute and hence the dispute is not at all an Industrial Dispute.
- 7. W.W1 is Secretary of All India Bank Employees Federation, who deposed that the four employees concerned in the I.D. were members of another Association known as Bank Employees Association. They never became members of All India Bank Employees Federation that did concillation on behalf of the four workers; his Federation, according to W.W1, has the right to raise disputes on behalf of the Units affiliated to his Federation, like the unit known as Bank Employees Association.
- 8. What is this Bank Employees Association? Is it a union? It is not a registered trade union, as admitted to by W.W1. W.W1 deposed that he would not produce the documents concerning Bank Employees Association that he was summoned and directed top roduce, His explanation is as follows:—
  - "The filing of these documents mentioned in I.A. No. 580/70 cannot be done and will not be done, as such membership registers or minutes books will expose the members to the tyranny of their other colleagues. If I disclosed the names of the members, they would be exposed to coercion and intimidation by the other employees in this respective Banks."

- 9. W.W.2 admitted as follows:—"All four of us were members of Union No. 2 namely National & Grindlays Bank Employees Union and all four of us resigned from that Union, on 17th October, 1968. Now that Union No. 2 has on its rolls, at all times, all the other employees. Now 50 of them were employees of former Lloyds Bank and out of those 50, 4 have raised this issue, inclusive of myself."
- 10. The fact is that All India Bank Employees Federation raised this dispute. My finding is that W.W.1 is deliberately suppressing documents concerning the so-called Bank Employees Association. The fact that W.W.1 would not produce documents pertaining to Bank Employees Association is suggestive of one fact and no other that the so-called Bank Employees Association is a non-existing unit and that, actually, there could be no affiliation of such a non-existing unit with All India Bank Employees Federation. I find that the so-called membership of the four employees in any union known as Bank Employees Association is not proved, for, in my view, the admission made by W.W.1 as follows, is a tell-tale admission, "I admit that the Bank Employees Federation is not a registered one. In Ex. W.7, W.8, or W.9 or in any other correspondence, it was not mentioned that these four employees were members of Bank employees Association. In the Claim Statement also, I did not Write that these four employees are members of Bank Employees Association. I do not intend filling any documents to seek to show that the four employees in question were or are members of Bank Employees Association, or of that Association that has sponsored their cause."
- 11. In the decision reported in 1949—I—L.L.J—page 875, Kandan Textiles Limited, it was held that Kandan Weaving Workers' Union did not represent the majority of workers in the establishment, and in effect it had no locus standi to represent any worker, and so it was held that, there was no Industrial Dispute that ever existed as between parties. In the decision reported in 1960—I—L.L.J.—page 349—Murugan Transport and it's workers and another, it is held that, in the absence of anything, to show that a sizable section of employees had decided to take up a dispute, it could not be held that an Industrial Dispute had been raised in fact and in reality. In the above decision, it was field that no doubt the General Body had met on 16-7-1957, but the General Body did not refer specifically to the claim of 8 individuals, whose names were mentioned in the order of reference which Government had made to that Tribunal.
- 12. It is urged that the decision reported in 1968—Vol. 17—Indian Factories and Labour Reports at page 191 Messrs. Payen & Talbros Limited vs. Hans Raj & others can be said to be the decision contra to the one reported in 1949—I—L.L.J. in that in the above decision it is observed as follows, at page 194:
  - "It would, therefore, appear that the condition of an espousal or of a body or a considerable section of workmen making a common cause with the particular dispute arises only when the dispute per see is of the nature of an individual dispute concerning a particular workman as opposed to collective dispute involving all the workmen. In the present case according to the terms of reference reproduced earlier, in this judgment, the dispute that was referred to the Tribunal related to Gratuity Scheme sought to be introduced for the benefit of all the workmen employed in the petitioner—Company. It was per see an Industrial Dispute. No espousal or support was therefore needed for such a dispute. The appropriate Government was entitled under Section 10 of the Industrial Disputes Act, 1947, to refer this dispute to the Tribunal for settlement."

In the decision reported in Volume 19—1969 Indian Factories and Labour Reports at page 230—M. L. Garg and others vs. Labourt Court and others, it was held that the issue, as to whether the General Body of the Union had or had not authorised his officers to take up the dispute was wholly immaterial if the Union had itself taken it up. In the above case, the dismissed worker was not of a member of the Union.

- 13. In the case known as the Hindu case, reported in A.I.R.—1963—Supreme Court at page 380, the law is set down in the following language:—
  - "In each case in ascertaining whether an individual dispute has acquired the character of an industrial dispute, the test is whether at the date of the reference the dispute was taken up or supported by the union of the workmen of the employer against whom the dispute is raised

by an individual workmen or by an appreciable number of work-men."

His Lordship Shaw J. observed in the above case, that, prima facte, the dispute was an individual dispute, and in order that it may become an Industrial Dispute, it had to be established that it had been taken up by the union of employees or by an appreciable number or employees. The whole point is as to whether, the employer is having a dispute with a large number of his workmen and unless the above test is passed, an individual dispute cannot be transformed into an Industrial Dispute. It is not necessary that a registered body should sponser the cause of an individual workman. But it has to be shown that a body of workmen, either acting through the Union, or otherwise has sponsored the cause.

14. In the decision reported in 1953—I.-L.L.J.—page 174 State of Madras vs. C. P. Sarathy, it is held that the observation made in Kandan Textiles Limited that Government had to bestow its mind as to whether the dispute was an Industrial Dispute or not, was not correct. It was held that the Government only passed an administrative order. Also in the above decision, it is written as at page 178 as follows:—

"Fifteen out of 43 workers of the Prabhad Talkies were admittedly members of the Association which thus figured as one of the parties to the dispute. In that situation, Government may have thought, without a close examination of the conditions in each individual establishment, that disputes which affected the workmen collectively existed in the Cinema Industry in the City and that, even if such disputes had not actually arisen in any particular establishment, they could, having regard to their collective nature, have well apprehended as imminent in respect of that establishment also."

In my view, in the above decision, all that is held is that, the Court cannot canvas the order of reference by Government closely to see if there was any material before Government to support its conclusion. It is further held, in that very decision, that is open to a party to show that what was referred by Government was not an Industrial Dispute within the meaning of the Act, and that therefore the Tribunal had no jurisdiction to make any Award. I agree that, in the decision reported in 1965—L.L.J.—page 668 Workmen of Dharmapal Premchand the law is set out that certain observations in the 'Hindu Case' were merely obiter dicta and that if the workmen of an establishment did not have an union of their own and some of them joined the union of another establishment, belonging to the same Industry, and if the other Union took up the cause of the workmen of an establishment with no union of its own, it would be unreasonable to hold that the dispute is not an Industrial Dispute. In other words, if the establishment had a union of its own, that union, provided, it is a representation. Union: had to raise the dispute, for the well-settled law is, that in order "that dispute between a single employee and the employer should be validly referred under Section 10 of the Act, it is necessary that it should have been taken up by the Union to which the employee belongs or by a number of employees. On this view, a dispute between an employer and a single employee cannot, by itself be treated as an Industrial Dispute, unless it is sponsored or espoused by the union of workmen or by a number of workmen." If the establishment has a representative union of its own, in that case, only that union can raise that dispute. The necessary representative capacity of the Union, to espouse the cause, is necessary. Their Lordships observed in the decision reported in 1970—II—L.L.J.—page 133, Workmen of Indian Express Newspaper Limited as follows:—

"But in Workmen vs. Messrs. Dharmapal Premchand (1965—I—L.L.J.—528; 1965—3 S.C.R. 394) this Court, after reviewing the previous decisions, distinguished the case of Hindu, Bombay, and held that notwithstanding the width of the words used in S.2(k) of the Act, a dispute raised by an individual workman cannot become an industrial dispute unless it is supported either by his union or in the absence of a union by a number of workmen, that a union may validly raise a dispute though it may be a minority union of the workmen employed in an establishment, that if there was no union of workmen in an establishment, a group of employees can raise the

dispute which becomes an Industrial Dispute relating to an individual workman, and lastly, that where the workmen of an establishment have no union of their own and some or all of them have joined a union of another establishment belonging to the same Industry, if such a union takes up the cause of the workmen working in an establishment which has no union of its own, the dispute would become an Industrial Dispute if such a union can claim a representative character, in a way, that its support would make the dispute an Industrial Dispute."

15. The non-existence of a separate union for workers in the unit concerned, was considered to be a highly relevant point in the cases cited above, obviously, on this ground, that existence of a union, for the employees of the relevant Management, means this that collective bargaining by the union of workers could be done only by that union (in our case that union is Union No: 2) and no other. The Management is concerned with the employees serving under that Management. The dispute, to be an Industrial Dispute, has got to be one, as between the Management and its employees. The more fact that only four employees are aggrieved and not any others cannot cancel out the fact, that is admitted in this case, that the other employees namely, over 350 of them, are m total agreement, with the Management, that this dispute raised in this Industrial Dispute, is not at all to be raised. My finding is, what is admitted in the Claim statement, and the evidence of W.W.1 and W.W.2 that all other employees, other than the four mentioned in the Government Order, do want seniority to be fixed only on branch-wise basis. In the Claim Statement, there is writing about agreement between Management and Union No. 2 i.e. the union of employees, on this issue, that seniority for purpose of promotion has got to be on branch-wise basis. I find that this dispute is raised only by four employees, and, further, all the other employees are with the management, on this issue that seniority for promotion, to the higher post, has got to be on branch-wise basis. I find, therefore that this dispute referred to in the Government Order in question is not an Industrial Dispute, as defined in the Industrial Disputes Act and so I have no Jurisdiction to go into the merits of this dispute. The Award is passed as stated above.

(Sd.) K. SEETHARAMA RAO, Industrial Tribunal.

#### The 1st July 1971

WITNESSES EXAMINED: (In Preliminary Issue)

For Workmen.—W.W.1.—Deposition of Tiru K. N. Shenal. position of Thiru A. Rawoof.

For Management.-

DOCUMENTS MARKED: (In Preliminary Issue)

#### For Workmen: --

- Ex. W—1—12-9-1968—Copy of Letter from Union No. 2 and Management to the Regional Labour Commissioner regarding fixation of seniority.
- Ex. W—2—8-8-1960—Letter from Joint Chief Manager, Lloyds Bank Ltd., Calcutta to the Manager, Lloyds Bank informing the intention of National & Grindlays Bank Ltd. to offer employment to all the staffs of Lloyds Bank.
- Ex. W-3-22-11-1960-Letter accepting the offer of National and Grindlays Bank Ltd. to the Joint Chief Manager, Lloyds Bank Ltd. Calcutta.
- Ex. W—4—22-11-1960—Letter from the Joint Chief Manager, Lloyds Bank Ltd. to one Thiru A. Rawoof notifying the merger of the business of Lloyds Bank Ltd. in India with that of National & Grindlays Bank Limited.
- Ex. W-5-8-10-1968-Letter from the Regional Labour Commissioner to Thiru V. G. K. Nayar and two others.
- Ex. W—6—22-3-1969—Minutes of discussions held by Assistant Labour Commissioner, Madras.

- Ex. W-7-8-3-1969—Copy of Letter from W.W. 1 to the Regional Labour Commissioner informing the admission of new members.
- Ex. W—8—20-3-1969—Copy of Letter from W.W.1 to the Regional Labour Commissioner requesting to entertain the dispute,
- Ex. W-9-17-4-1969-Copy of minutes of discussion held by the Assistant Labour Commissioner, Madras.
- Ex. W-10-3-10-1968—Copy of Letter from W.W.2 and 4 others to the Assistant Labour Commissioner requesting to furnish a copy of settlement between the Management and union.
- Ex. W-11-15-7-1968-Copy of Letter to the Manager, National and Grindlays Bank Ltd. from Thiru V. G. K. Nayar.
- Ex. W—12—16-7-1968—Reply Letter to Ex. W—11 from National & Grindlays Bank Ltd.
- Ex. W-13- -- Copy of representation made to National and Grindlays Bank Ltd. by Thiru A. Rawoof.
- Ex. W-14-17-7-1968—Letter from Thiru A. Rawoof to the Manager, National & Grindlays Bank Ltd. Lloyds Branch.
- Ex. W-15-21-9-1968—Copy of Letter from Thiru I. Kannan to National & Grindlays Bank, Lloyds Branch requesting to furnish certain documents.
- Ex. W-16-10-10-1968-Statement made by A. Rawoof and 4 others to National & Grindlays Bank Employees Union.
- Ex. W—17—12-10-1968—Copy of Letter from I. Kannan and 4 others to the Management requesting to furnish the agreement reached between the Management and the union No. 2.
- Ex. W-18-17-10-1968-Copy of resignation from the membership of the union tendered by Thiru I. Kannan and 4 others.
- Ex. W—19—28-10-1968—Copy of representation made by I. Kannan and 4 others to the Regional Labour Commissioner.
- Ex. W-20-9-12-1968-Copy of Letter from Thiru B. R. Dolla on hehalf of their clients requesting to furnish them with copies of settlements.
- Ex. W-21-14-12-1968—Reply to Ex. W-20 from the Management.
- Ex. W-22-28-12-1968-Copy of notice issued to the Management by Thiru B. R. Dolia, Advocate on behalf of the clients.
- Ex. W-23-6-1-1969-Reply to Ex. W-22 by the Management.
- Ex. W-24-22-5-1969—Copy of failure of conciliation Report submitted by Assistant Labour Commissioner to the Government.
- Ex. W—25—17-5-1969—Copy of Letter from Thiru A. Rawoof to the Regional Commissioner of Labour enclosing a list of employees who were transferred from outside India.
- Ex. W-26-21-3-1969-Copy of Letter from Thiru K. N. Shenoy to the Regional Labour Commissioner authorising Thiru I. Kannan and A. Rawoof to appear in the dispute on behalf of the Federation.
- Ex. W-27-14-7-1969—Copy of Letter from Thiru A. Rawoof to the Management.

## For Management: --

#### -NIL

(Sd.) K. SEETHARAMA RAO, Industrial Tribunal.

Note: —The parties are directed to take return of their document/documents within six months from the date of this Award.

#### New Delhi, the 27th July 1971

S.O. 2986.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the Bank of Baroda and their workmen, which was received by the Central Government on the 20th July, 1971.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

#### PRESENT:

Sri T. Chandrasekhara Reddy, B.A.,B.L., Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE No. 33 of 1970

#### BETWEEN:

Workmen of the Bank of Baroda, Secunderabad Branch.

AND

The Management of the Bank of Baroda, Secunderabad Branch.

## APPEARANCES:

Sri M. Pandu Ranga Rao, Advocate for the Workmen.

Sri K. Srinivasa Murthy, Member of the Managing Committee & Honarary Secretary of the Federation of Andhra Pradesh Chamber of Commerce & Industry for the Management.

#### AWARD

By an Order dated 17th September, 1970 the Government of India referred to me, Presiding Officer of the Industrial Tribunal, Andhra Pradesh, Hyderabad, the following industrial dispute between the Employers in relation to the Bank of Baroda and their Workmen for adjudication. The issue referred is as follows:—

"Whether the action of the Management of Bank of Baroda, Secunderabad Branch in terminating the services of Shri Y. Seetharamiah, Clerk with effect from the 7th November, 1969 was justified?

If not, to what relief is he entitled."

- 2. The Bank of Baroda Employees Union, Hyderabad, filed a claims statement alleging inter alia that Shri Y. Sitaramaiah. who was appointed as a clerk in the Bank of Baroda on 12th December, 1955 and who was working in the Secunderabad Branch at the relevant time and who held various positions in the Union of the Employees of the Bank of Baroda. Andhra Pradesh Bank Employees Association and who was also a Member of the Central Committee of the All India Bank Employees Association, incurred the displeasure of the Management on account of his trade union activities. Further, one Sri Y. C. Rao, Accountant in the Secunderabad Branch of the Bank, nursed a grievance against the said Sitaramaiah, as he had brought to light certain malpractices of the said Y. C. Rao.
- 3. While so, on 19th March, 1963 the Employees of the Bank along with some outsiders formed a society with Y. C. Rao as the President and the said Seetaramaiah as the Secretary and a piece of land was purchased for the members and a registered sale deed was got executed on 9th July, 1963. According to the workmen, the Management of the Bank got a false criminal complaint filed against Sitaramaiah in March, 1964 alleging misappropriation of funds and the trial court convicted him on 18th November, 1965. On appeal, the conviction and sentences were set aside by the Principal Sessions Judge, Secunderabad, on 16th February 1966 and the same was confirmed by the High Court in Criminal Appeal No. 776 of 1966 which was preferred by the State of Andhra Pradesh against the order of acquittal. Further it was alleged by the workmen that even

before the charge-sheet was filed in the trial court, the Management of the Bank kept Sitaramaian under suspension by an order dated 18th August, 1964 and dismissed him from service by an order dated 30th November, 1965 after he was convicted by the trial court, and the representations of the said Sitaramaiah by means of letters dated 19th February, 1966 and 19th March, 1966 for reinstatement after he was acquitted by the Principal Sessions Judge, Secunderabad, in appeal, were in vain. So Sitaramaiah got a notice issued through his lawyer on 2nd August, 1966, but the Management of the Bank replied that the matter would be considered after the decision of the High Court in the revision petition filed by the State. Even though the High Court confirmed the judgment of the Principal Sessions Judge, Secunderabad, the management decided to keep him under suspension pending departmental enquiry and informed him accordingly by a letter dated 7th October, 1968. Thereupon Sitaramaiah filed a Writ Petition No. 4771 of 1968 unsuccessfully and then a petition C.M.P. No. 6|69 under Section 33(c)(2) of the I.D. Act before the Labour Court, Hyderabad, claiming full salary and other benefits. The Management filed a counter therein alleging that they had taken the action under the Desai Award and the Bipartite Settlement and that they would take a decision only after the enquiry was completed. But, contrary to the above allegation, they terminated the services of the said Sitaramaiah by an order dated 7th November, 1969.

- 4. The Workmen averred that as no enquiry has been held in accordance with Clauses 19-11 and 19-12 of the Bipartite Settlement, the action of the Management in terminating the services of Seetaramaiah was illegal, void and mala fide and was an act of victimisation. It also alleged that the Management had no jurisdiction to take any action against the said Sitaramaiah. Para 522(1) of Sastry's Award and Clause 19(3)(c) of the Bipartite Settlement had no application to the instant case. Further, it was only a cloak for dismissing Sitaramaiah, in any event, the termination was illegal as it had been passed by the Agent, who was incompetent to pass such an order. Further more, the order of termination violated the provisions of Section 40 of the Andhra Pradesh Shops & Establishments Rules, 1968. So the Union prayed that an award might be passed ordering reinstatement of Sitaramaiah with full back salary and all antecedent benefits.
- 5. While admitting that Sitaramaiah was appointed in the Bank and was working in the Secunderabad Branch at the relevant time, the Management put the Union to strict proof of the trade union activities of the said Sitaramaiah and denied the allegation that they got the criminal case filed against Sitaramaiah by Y. C. Rao and asserted that they had nothing to do with the criminal case, that as Sitaramaiah was holding a post of confidence, it was felt that it was not desirable to have an employee against whom the Police filed a case and so Sitaramaiah was kept under suspension initially and dismissed after the trial court convicted him. Although the Appellate Court allowed the appeal, as Sitaramaiah was given only the benefit of doubt and acquitted and the same having been confirmed by the High Court, and as the allegations were very serious, the Management wanted to hold an enquiry which they were not precluded under law to hold. So a fresh memo was given to Sitaramaiah and Sitaramaiah filed a Writ Petition W.P. No. 4771|68 in the High Court and it was dismissed. Subsequently it was found that it was not necessary that an enquiry should be held. As it was found that no enquiry was needed, he was discharged from service in the interests of the Bank and not dismissed from service. So they asserted that it was competent to terminate the services of an employee, that the provisions of the Andhra Pradesh Shops & Establishments Act would not apply to the instant case and that the Sastry Award and the Bipartite Settlement would apply to the instant case. The Management mala fide. So they prayer that the reference might be rejected.
- 6. One witness was examined on behalf of each of the parties, and Exts. W1 to W20 were exhibited on behalf of the workmen while Exts. M1 to M4 were marked for the Management.
- 7. As stated already, the main question to be decided is: whether the termination of the services of Sitaramaiah, W.W.1, by the Management of the Bank of Baroda was proper and justified?

<sup>9.</sup> It is contended for the Union that the order of termination of the services of W.W.1 passed on 7th November, 1969 was illegal and malafide, that the Bank Management wanted to get rid of W.W.1 on account of his trade union activities that it was not a termination simpliciter but was in reality a cloak for dismissal for misconduct, that it was a colourable exercise of power, that para 522.1 of the Sastry Award and clause 19(3)(c) of the Bipartite Settlement would not apply to the instant case, that para 521 of the Bank Award and clause 19(3)(d) of the Bipartite Settlement would apply and that proceedings under clauses 19-11 and 19-12 should have been followed and that even assuming that para 522(1) of the Sastry Award applies, it was null and void and ineffective as it had

not been signed by the Manager as required by para 522-5 of the Sastry Award and that therefore W.W.1 was entitled to reinstatement with back wages and antecedent benefits.

- 10. Sri K. Srinivasamurthy for the Management argued that the respondent Bank had not dismissed or discharged W.W. 1 as a punishment for any misconduct; that para 521 of Sastry's award had no application to the instant case; that the management of the Bank thought that as the Bank of Baroda Housing Society was an independent institution, the Bank of Baroda could not hold a departmental enquiry into the allegations of misappropriation of the funds of the Housing Society against W.W.I; that the Bank had merely terminated his services under Para 522(1) of the Sastry Award as they had los confidence in W.W.1 and it was impossible to continue to employ him in the circumstances and that in the peculiar position obtaining in the accounts branch of the Bank, the Management had acted bona fide and that the circumstance that they had not taken any action against any other office bearers of the Union proves that the action taken against W.W.I was not on account of his trade union activity. It is further urged for the Management that the Agent of the Secunderabad Branch had only carried out the order passed by the Custodian, who is a higher authority than the Manager and therefore there was no force in the contention raised by the other side that there was a breach of para 522(5) of Sastry Award. These contentions raised by both parties have to be considered now.
- 11. It is true that an employer cannot ordinarily terminate the services of a permanent employee by a mere notice and paying three months wages and allowances in lieu of notice and claim that it is a termination of service simpliciter and that he acted bonafide in taking such action. It was held by Labour Appellate Tribunal in 1951 (II) LLJ page 314, Buckingham & Carnatic Company Ltd., etc. Vs. Workers of the Company etc., that the requirement of bona fides is essential and if the termination of service is a colourable exercise of the power or is a result of victimisation or unfair labour practice, the Industrial Tribunal will have the jurisdiction to intervene to set aside such termination. It was further held that where the termination of service is capricious, arbitrary or unnecessarily harash on the part of the employer, judged by the normal standards of reasonableness that may be cogent evidence of victimisation or unfair labour practice. The principle of the above decision was approved in Assam Oil Company Vs. Its Workmen 1960(I)LLJ, page 587. (Supreme Court) and also in 1960 (II) LLJ page 222. (Supreme Court) Chartered Bank, Bombay, Vs. Chartered Bank Employees Union. Same is the principle of the decision in Tata Engineering and Locomotive Company Vs. Prasad, 1969 (II) LLJ, page 799. To the same offect is the ratio of the decision in the Management of Utkal Machinery Ltd., Vs. Workman Shanti Patnaik, 1968 (I) LLJ, page 398. The above principle was reiterated in the decision in Bihar State Road Transport Corporation Vs. State of Bihar, 1970 (II) LLJ, page 138.
- 12. It is also well settled that passing of the order of termination is not conclusive of the true nature of the order passed. It is possible that the form may be merely a camouflage for an order of dismissal for misconduct. So the Tribunal will have to go into all the circumstances which led to the termination simpliciter because though in form it amounts to termination simpliciter. it may be in reality a cloak for dismissal for misconduct. Then it will be open to the Tribunal to set aside a colourable exercise of power.
- 13. No doubt, it is pleaded in para 6 of the claims statement that the Management was very prompt in keeping W.W.1 under suspension by an order Ex. W1 dated 18th August 1964 even before a charge-sheet was filed in the criminal case by the Police for the offences under Section 409 IPC read with Section 405 and 420 IPC based on the complaint made by the President of the Bank of Baroda Housing Society in March, 1964 and that he was dismissed from the Bank's service from 15th November 1965 by an order dated 30th November 1965 as he was convicted by the trial court on 15th November, 1965 in C.C. No. 7309/64 under Section 409 IPC. Ex. W2: that even after the order of the Principal Sessions Judge allowing the appeal on 18th December 1966 the Management did not care to reply to the numerious representations made by W.W.1 for reinstatement after acquittal until the management made sure that the State had preferred an appeal against the acquittal; that the Management again kept him under suspension retrospectively from 15th November 1965 after the appeal was dismissed by the High Court and that having decided to hold a departmental enquiry as seen from the counter filed in C.M.P. 6/69 the Management terminated the services without holding an enquiry even during the pendency of CMP No 6/69; and that all these facts prove the mala-

fides on the part of the Management. It is further urged that the Management of the Bank took action against him only because of his trade union activities. But Sri Srinivasamurthy for the bank submitted that the admission of W.W.1 in his evidence that although except half a dozen or 8 employees of the Bank all the others were members of the Andhra Pradesh Bank Employees Federation, no action had been taken against any one of them and that therefore the above contention was without any basis and had no merit. In regard to the allegation of malafides on the part of the management in taking action against W.W.1, Mr. Srinivasamurthy contends that the Bank authorities kept him under suspension on 18th August 1964 long after he was accused of having misapproprlated funds of the Society and after the Police arrested him on 17th March 1964 in that connection, (vide Ex. W.1) and dismissed him from service only on 30th November 1965 after the trial court convicted him for an offence under Section 409 IPC. Hence he contends that the action taken against W.W.1 by the Management was bona fide. I agree with the above submission made by Mr. K. Srinivasamurthy. Similarly, the Management did not reply to the communications dated 19th February 1966 and 29th April 1966, Exs. W4, W6 and W8 respectively and that only after W.W.1 got the notice Ex. W9 issued through his Advocate the respondent bank Management sent a reply, Ex. W10, mentioning that as the State had filed a revision petition before the High Court against the acquittal and it had been admitted, they would consider the matter only after the decision of the High Court. But M.W.1 deposed that the Bank authorities had nothing to do with the criminal case or the appeal filed by the State.

14. A perusal of Exs. M2 and M3 clearly proves that W.W.1 was contending that the judgement of the High Court was binding on the management and that they should not hold a departmental enquiry after the decision of the Court in the criminal case. It is pointed out for the Union that para 505 of the Sastry Award is to the effect that the bank management should not lightly challenge the acquittals by competent courts as it would amount a double trial in respect of the same offence unless there had been gross violation of departmental rules as to necessiate a further enquiry in the interests of the institution on matters other than those in respect of which he was already been acquittd and that it can terminate his services on payment of three months salary and allowances in lieu of notice when after the departmental enquiry, the Management feels that the employee cannot continue in its service. But the Management contends that it is not an honourable acquittal and that W.W.1 was given benefit of doubt and acquitted. It is true that W.W.I was given the benefit of doubt in the criminal case and acquitted but it is to be noted that in the instant case there is no gross violation of departmental rules as to necessitate a further enquiry in the interest of the institution on matters other than those in respect of which he has been acquitted and so no question further enquiry arose. Whatever that might be, there was no constitutional on legal bar for holding the departmental enquiry on the same facts against an officer who had been prosecuted and acquitted by being given the benefit of doubt in that behalf. At page 2 of the order in W.P. No. 4771 68 (Ex. M2) the contents of the Bank's letter dated 7th October 1968 are extracted. The relevant portion is "we note you have been acquitted by the High Court by giving you the benefit of doubt. It has been decided to hold a departmental enquiry against you under the provisions of the Bipartite Settlement". Not only that a perusal of the above order reveals that the Bank also contended before the High Court that they had decided to hold enquiry against W.W.1 although they did not disclose the nature of the enquiry. That apart, even subsequently in Ex. W16 the counter filed by the Bank in C.M.P. 6.69 on the file of the Labour Court. Hyderabad it was alleged that the Management would take a decision only "after the enquiry is completed". Now it is submitted that what the Management of the Bank meant by saving that they would take a decision was in regard to the salary. But even then it is explicit from the above passage that even as early as 7th October 1968 the Bank management had decided to hold an enquiry. In 1969 the Management went on making representations before the High Court to that effect and also before the Labour Court i.e. about three years after the acquittal by the Principal Sessions Judge Secunderabad, in appeal and for more than one year after the appeal filed by the State against W.W.1 was dismissed by the High Court, that they would hold an enquiry against W.W.1 and kept him under suspension. But suddenly the Management by the order dated 7th November 1969 terminated the services of W.W.1 with immediate effect in terms of paragraph 522(1) of Sastry's Award read with clause 19(3)(c) of the Bipartite Settlement with three months salary and allowances in lieu of notice. It is significant to note that this decision was taken and given effect even during

the pendency of C.M.P. 6|69 before the Labour Court, Hyderabad. These circumstances according to Sri Panduranga Rao, the learned counsel for the Union undoubtedly established the malafides of the Management. In any event, he submits that the above action of the Management amounts to a colourable exercise of the power given to the Management under para 522(1) of Sastry's Award and clause 19(3) (c) Bipartite Settlement. He relies upon the decision in U.B. Dutt and Co. Pvt. Ltd., Vs. Its Workmen in 1962 (I) LLJ page 374, the facts of the above case are as follows:

"One Sankaran, an employee was served with a charge sheet on 24th June 1958 setting out the misconduct namely, that he came drunk to the mills and abused the engineer, secretary and other officials of the Company and threatened them with physical violence and he gave his explanation denying the allegations made against him although he admitted that he had come to the mill at the relevant time for taking wages. Thereupon he was informed on 25th June 1953 that a departmental enquiry would be held against him as he had denied the charge and was kept under suspension pending enquiry. The employee protested against his suspension and requested the Management to expedite the enquiry. But on 8th July 1958 the Management terminated the services of Sankaran under Rule 18(a) of the Standing Orders without holding any departmental enquiry and the order was communicated to him on the same day. In that order it was mentioned that the proposed enquiry, if conducted, would lead to further friction and deterioration in the rank and file of the employees in general and also the maintenance of discipline in the undertaking would be prejudiced if he was retained in the service of the mills and therefore it considered that no enquiry should be held. A dispute was raised by the Union and it was referred to Industrial Tribunal for adjudication by the Government of Kerala. The Tribunal held an enquiry that some thing seems to have happened on the afternoon of June, 21st 1958 but there was no evidence to prove what had happened and that the Management having intended to take disciplinary action against the workmen, had subsequently dropped the departmental proceedings and had taken action under rule 18(a) of the Standing Order that it smounted to acolourable exercise of the power given under rule 18(a) with the result that its action could not be upheld as a bonafide exercise of power conferred. The Tribunal also held that no attempt was made to prove the alleged misconduct of Sankaran before it by examining either the engineer or sccretary or any other concerned person and so the order of discharge was set aside and he was ordered to be reinstated. In the appeal by special leave, the Supreme Court, held that if the employer wanted to take action for misconduct and then suddenly dropped the departmental proceedings which were intended to be held and decided to discharge the employee, it was clearly a colourable exercise of power under the relevant rule of the Standing Orders (providing for termination) in as much as that rule was used to get rid of an employee tion) in as much as that rule was used to get rid of an employee instead of following the course of holding an enquiry for misconduct, notice for which had been given to the employee and for which departmental enquiry was intended to be held. The Employer could have defended the action by leading in evidence before the Industrial Tribunal to show that there was in fact a misconduct. If the employer did not do so and friled to examine material evidence the award made by the Industrial Tribunal in the circumstances could not be held unjustified The Industrial Tribunal has the right to enquire into the causes that might have led to termination of service even under a rule like 18(a) and if it is satisfied that the action taken under such a rule was a colourable exercise of power and was not bonafide or was a result of victimisation or unfair labour practice it would have jurisdiction to intervene and set aside such termination. The Supreme Court dismissed the appeal with costs.

15. It is true that in the above case, the Management had issued a charge sheet to the employee and his explanation obtained and informed him while keeping under suspension that a departmental enquiry would be held against

him in respect of misconduct and it was only later that the services of the employee were terminated without holding an enquiry. But that does not make any difference. In the instant case, the Management had kept W.W.1 under suspension and the High Court observed in Ex. M2. it was suspension pending enquiry. The Management specifically alleged in the letter dated 7th October 1968 that a departmental enquiry would be held against him and that it had decided to hold such an enquiry obviously in connection with the same facts as in the criminal case. Further it is evident from a perusal of Ex. M2 that the main contention advanced by the Management before the High Court was that they were not barred from holding a departmental enquiry in spite of the acquittal of W.W.1 in the criminal case and that therefore the order of suspension was lawful. Not only that, as stated already, they made a similar allegation in W. 16 i.e. the counter filed in C.M.P. No. 6 69 before the Labour Court. But surprisingly the Bank management terminated the services of W.W.1 during the pendency of C.M.P. 6 69 without holding an enquiry and without assigning any reason, purporting to exercise the power under para 522(1) of the Bank Award or Sastry's Award.

- 16. Shri K. Srinivasamurthy, contends on behalf of the Bank that it could not hold a departmental enquiry in connection with the accusation of misappropriation of funds of the Housing Society by W.W.1 as the Housing Society was an independent institution, that the Bank has taken legal opinion and decided to terminate the services of W.W. 1 under Section IV, para 522(1) of Sastry's Award and 19(3)(c) of the Bipartite Settlement. Shri K. Srinivasamurthy further urged that para 522(1) of the Bank Award and 19(3)(c) of the Bipartite Settlement were meant particularly to meet situations like this in a banking concern and that as the interests of the public were involved in banks, the conduct of the employees of the bank should be above suspicion and that therefore it was decided that it should not continue to retain W.W.1 are decided. therefore it was decided that it should not continue to retain W.W.1 any longer in service. I am unable to agree. One circumstance stands out prominently. The Principal Sessions Judge, Secunderabad, had allowed the appeal on 16th February, 1966 and W.W.1 was pressing for reinstatement since then. No doubt the Management later informed W.W.1 that they would look into the matter after the decision of the High Court in appeal against acquittal. The High Court also dismissed the appeal on 21st June, 1968. The Management did not even then terminate the services of W.W.1 exercising the power in para 522(1) of Sastry's Award and 19(3)(c), of Bipartite Settlement although it could have chosen to do so. On the other hand, 1968, informed W.W.1 that there had in its communication dated 7th October, 1968 informed W.W.1 that they had decided to hold a departmental enquiry against him. They also urged before the High Court in W.P. No. 4771/68 that they were not barred from holding an enquiry against him inspite of the accuittal by the appellate court. Further they also averted in the counter filed before the Labour Court in C.M.P. 6/69 that the question of payment of full salary would be decided after the enquiry was completed. But suddenly they terminated his service without assigning any reason. Till the validity of the termination of W.W.1 was challenged in this Industrial districts the Managarant that any district the Managarant that the Industrial dispute, the Management had not disclosed that they had no confidence in W.W.t or that his conduct was not above suspicion. No doubt it is alleged that W.W.I was involved in a criminal case for an offence under Section 409 I.P.C. and he was convicted by the Trial Court. But it is to be noted that he was acquifted of the charge by the appellate Court although he was given the benefit of doubt and that judgment was confirmed by the High Court. Ordinative that constitution is applied to appear to the constitution of the constituti rily that acquittal is entitled to great weight. No other material is placed on record to show that W.W.1's conduct was not above reproach in that matter or in any other connection or generally. On the other hand, W.W.1 asserted that the action had been taken against him because of his Trade Union activities. It is not denied that W.W.1 was an office bearer in the Union of the respondent Bank and an active member of the Union. He also held responsible positions in the Andhra Pradesh Bank Employees Association and was a member of the Central Committee of All India Bank Employees Association. That being so, I have no hesitation in holding that the order terminating the services of W.W.1 is malafide and amounts to a colourable exercise of the powers vested in the Management under para 522(1) of Sastry's Award and 19(3)(c), of the Bipartite Settlement.
- 17. It is urged for the Bank that the termination of the services of W.W.1 was ordered only after taking legal advice but what facts were stated in the reference to the legal advisers and what actually was the advice given by them

is not known. In any event the Management could have taken legal advice in this connection immediately after the Principal Sessions, Judge, Secunderabad allowed the appeal filed by W.W.1 as W.W.1 went on sending letter after letter pressing for reinstatement with all benefits. Nothing prevented the Management from taking such a step at that stage. They kept silent without sending a reply to W.W.1 till the state filed the appeal against acquittal and it was admitted and then only they sent the reply that they would await the result of the appeal. Even immediately after the appeal was dismissed by the High Court on 21st June, 1968, the Bank management did not take legal opinion. It is of materiality to note that even as late as 7th October, 1968 they informed W.W.1 that they had decided to hold an enquiry and also contended before the High Court that they intended holding an enquiry. As stated already, even in 1969 they pleaded before the Labour Court that the decision regarding full salary would be taken after completing the enquiry. But even before the decision in C.M.P. No. 6/69 was given they terminated the services of W.W.1 without assigning any reason and without holding any enquiry. In these circumstances, it is obvious that the Bank management wanted to hold an enquiry and take action for misconduct against W.W.1 and then suddenly dropped its decision to hold the enquiry and terminated the services of W.W.1. The facts stated above show unmistakably that they wanted to get rid of W.W.1 in spite of his acquittal in the criminal case. So the use of para 522(1) of Sastry's Award and 19(3)(c) of the Bipartite Settlement would not change the nature of the termination of service of W.W.1 into a bonafide action and it could not be said that it was not punitive in character. In order words the use of the power by the Bank management in the instant case under para 522(1) of the Sastry's Award and 19(3)(c) of the Bipartite Settlement cannot in the circumstances be accepted as an honest exercise of the right vested i

18. The evidence of W.W.1 that a clerk in the Accounts Branch could act in a prejudicial manner and that therefore it would not be in the interest of the public and the bank to continue him in the service of the bank cannot be accepted in view of the fact that the nost (tappal) is received by officer. Cheaues and Bills would be in the custody of the officer and it is his responsibility to see the posting in account. Even according to M.W.1 in cases where notices are received from Courts to cause production of particular cheques connected with litigation, it is the agent that is served with notices and he alone knows what particular document or cheque would be relevant in a particular lifigation. So steps would be taken to preserve or put up that particular document or cheque.

19. That apart, para 522(5) of Sastry's Award is as follows:

An order relating to discharge or termination of services shall be in writing and shall be signed by the Manager. A copy of such order shall be supplied to the employee concerned.

It is pointed out by Sri Panduranga Rao for the Union that in the instant case. Ex. W17 the order of termination dated 7th November, 1969 is signed by the Agent of Secunderabad Branch and not by the Manager as prescribed by para 522(5). So it is argued that the order of termination does not satisfy the above requirement and in consequently null void and in-effective. But Sri K. Srinivasamurthy for the Bank submits that the original order of termination had been passed by the custodian who was a higher authority than the Manager and that the Agent had merely cerried out the instructions of the Custodian, that some of the provisions of the Sastry's Award were not mandatory, that para 522(5) was one such and so the order of termination was valid and effective. I am unable to agree with the above submission of Sri K. Srinivasa-Murthy as the expression used in the above paragraph is that the order of termination "shall be signed by the Manager" and so I hold it is mandatory. The result is, the requirements of para 522(5) are not combiled with. Even assuming that the Agent has merely carried out the order of the Custodian, the order of termination signed and passed by the Custodian has not been communicated to W.W.1. Therefore, from any point of view, it cannot be urged with any force that the requirements of the mandatory provision of para 522(5) are satisfied. Consequently I hold that the order of termination is null, void and in-offective.

- 20. In view of the above discussion, I hold that the action of the Management of the Bank of Baroda, Secunderabad Branch in terminating the services of W.W.1 with effect from 7th November, 1969 was not justified.
- 21. The next question is what is the relief to which W.W.1 is entitled? Shri Panduranga Rao for the Union submits that when the termination of the services of W.W.1 is held to be wrongful, normally he is entitled to be reinstated unless there are unusual or exceptional circumstances. But it is argued for the Bank on the basis of M.W.1's evidence that it will not be expedient or destrable that reinstatement of W.W.1 should be ordered with back wages. I have already held that there is no material on record to establish that W.W.1's continuance in service would be prejudicial to the interests of the bank and the general public and that his general conduct is not above reproach. In M/s. Tulsidas Paul Vs. Second Labour Court, West Bengal and Others, 1971 (22) F.L.R. page 148—1971(1) LL.J. page 526 and the Management of Panitole Tea Estate Vs. Workmen (C.A.) 1137(NL) of 1970-1971(1) LLJ. page 233. Their Lordships of the Supreme Court held that the question whether on setting aside the wrongful dismissel of a workman, he should be reinstated or directed be paid compensation is a matter within the judicial discretion of the Labour Court or the Tribunal dealing with the industrial dispute, the general rule in the absence of special circumstances being of reinstatement. In exercising this discretion, the Supreme Court observed, fair play toward the employee on the one hand and the interest of the employer require to be duly safe-guarded. It was also held that no hard and fast rule as to which circumstances would constitute an exception to the general rule, can be laid down as the Tribunal in each case must in a spirit of fairness and justice and in keeping with the objective of industrial adjudication decide whether it should in the interest of jutice depart from the general rule. In the ins.ant case, as stated already, there is no material on record to justify the plea of want of confidence in W.W.1's integrity merely because he was accused of an offence under Section 409 I.P.C. as it was thrown out by the highest Court

22. I have held that the action of the Management of the Bank of Baroda, Secunderabad Branch, in terminaling the services of Sectaramiah with effect from 7th November, 1969 was unjustified. Hence consideration of the second limb of the issue referred does not arise. Award is passed as mentioned above.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of the Tribunal, this the 30th day of June, 1971.

T. CHANDRASEKHARA REDDY, Industrial Tribunal.

# APPENDIX OF EVIDENCE

Witnesses examined for Workmen

W.M.1 Y. Sectaramaiah.

Witnesses examined for Employers.

M.W.1: Sartajkaran.

#### Documents exhibited for Workmen

Ex. W1: Suspension order dt. 18-8-1965.

Ex. W2: Dismissal order dt. 30-11-1965.

Ex. W3: Certified copy of the judgment.

Ex. W4: Lr. dated 19-2-1966 of Sri Sectaramaiah addressed to the Agent, The Bank of Baroda Ltd., Secunderabad for reinstatement.

Ex. W5: Postal Acknowledgment Receipt of Sri Seetaramaiah addressed to the Agent, Baroda Bank Ltd., Secunderabad, dt. 22-3-1966.

Ex. W6. Lr. dt. 19-3-1966 of Seetaramaiah addressed to the Agent, The Bank of Baroda Ltd., Secunderabad, for perusal of the certified copy of the judgment.

- Ex. W7. Postal acknowledgement receipt of Sri Seetaramaiah addressed to the Agent, The Bank of Baroda Ltd., Secunderabad. dt. 5-5-1966.
- Ex. W8. Lr. dt. 29-4-1966 of Sri Seetaramaiah addressed to the Agent, The Bank of Baroda Ltd., Secunderabad, requesting for reinstatement.
- Ex. W9. Lr. dt. 2-8-1966 of T. Vijayaraghavachari, Advocate, Secunderabad addressed to the Agent, The Bank of Baroda Ltd., Secunderabad, requesting for reinstatement of Sectaramaiah.
- Ex. W10. Lr. No. PD/48/2457 dt. 27-10-1966 of the Assistant General Manager (Foreign & Personnel) The Bank of Baroda Ltd., Bombay addressed to Sri T. Vijayaraghavachari, Advocate, Secunderabad, for waiting the decision of the High Court and the matter will be considered,
- Ex. W11. Judgment in Crl. No. 760 of 1966 of the High Court. A. P. Hyd.
- Ex. W12. Lr. dt 1-7-1968 of Seetaramaiah, addressed to the Agent, The Bank of Baroda Ltd., Secunderabad, requesting reinstatement orders and arrangements of pay arrears.
- Ex. W13. Lr. dt. 19-7-1968 of Seetaramaiah, addressed to the Agent. The Bank of Baroda Ltd., Secunderabad, requesting reinstatement orders and arrangements of pay arrears.
- Ex. W14. Lr. dt. 9-9-1968 of Seetaramaiah, addressed to the Agent, The Bank of Baroda Ltd., Secunderabad, requesting to credit the balance of amount due to him and for reinstatement order.
- Ex. M15. Telegram No., 1955 dt. 21-8-1968 sent by Personnel Division, Baroda Bank, Bombay to Sri Seetaramaiah, Hyderabad, informing his letter to the Chairman.
- Ex. W16. Counter statement by the Management to the Labour Court, Hyderabad in C.M.P. No. 6 of 1969.
- Ex. W17. Lr. No. Stf. 14 dt. 7-11-1969 from the Agent, The Bank of Baroda Ltd., Secunderabad addressed to Sri Y. Sitaramaih Hyderabad, terminating order.
- Ex. W18, C.M.P. No. 6 of 1969 of the Labour Court, Hyderabad, dated 2nd March, 1970 order passed.
- Ex. W19. Lr. dt. 3-12-1969 of the General Secretary, All India Bank Emloyees' Association, Hyderabad, addressed to the Regional Labour Commissioner (Central), Ministry of Labour and Employment, Hyderabad, requesting to reinstate Sitaramiah.
- Ex. W20. Lr. No. 3/20/1958-59 dt. 20-5-1958 of the Secretary, Bank of Baroda Employees' Unions, Bombay addressed to the General Manager, Bank of Baroda Ltd., Bombay, contemplating transfer of Sri Y. Sitaramaiah of Secunderabad office to Hyderabad.

## Documents exhibited for Employers

- Ex. M1. Counter Affidavit W.P. No. 4771 of 1968 of the High Court of Judicature of A. P. at Hyderabad.
- Ex. M2. Writ Petition No. 4771 of 1968 dt. 14-4-1969 (copy) order passed by the High Court of Judicature, A.P. Hyderabad.
- Ex. M3. Note on order of termination of Sectaramaiah by Personnel Divisional, Bombay dt. 27-10-1969.
- Ex. M4. Lr. No. PD/Spl/100/5181 dt. 31-10.1969 of the Asstt. Manager (Personnel) Bank of Baroda, Head Office, Baroda, termination order passed.
  - (Sd.) T. CHANDRASEKHARA REDDY, Industrial Tribunal.

Industrial Tribunal.
[No. 23/41/70/LR III.]
S. S. SAHASRANAMAN, Under Secy.

# DEPARTMENT OF COMMUNICATIONS

(P. and T. Board)

New Delhi, the 31st July, 1971

S.O. 2987.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-9-1971 as the date on which the Measured Rate System will be introduced in SIRSA Telephone Exchange, Punjab Circle.

[No. 5-46/71-PHB(2)].

T. N. MONDAL,

Assistant Director General (PHB).

# संचार विभाग (डाक तार विभाग)

नई दिल्ली, 31 जलाई, 1971

एस शो 2987.....स्थायी श्रादेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए एए भारतीय तार नियम 1951 के नियम 434 के खण्ड III के पैरा (क) के श्रमुसार डाक-तार महानिदेशक ने सिरसा टेलीफोन केन्द्र में दिनांक 16-9-71 से प्रमापिस दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-16/71-पीoएच० बीo(2)]

टी० एन० मोन्डल,

सहायक महानिदेशक (पी०एच०बी०)।

# MINISTRY OF FINANCE (Department of Revenue and Insurance)

ORDER

STAMUS

New Delhi, the 7th August, 1971

S.O. 2988.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds, to the value of three crores and eighty-two lakhs of rupees already issued, and to the value of fifty-five lakhs of rupees to be issued by the Assam Financial Corporation, are chargeable under the said Act.

[No. 18/71-Stamps/F. No. 471/16/71-Cus. VII.]

# वित्त मंत्रालय

(राजस्य ग्रीर बीमा विभाग)

श्रादेश

स्टास्य

**नई दिल्ली, 7 श्र**गस*ं*, 1971

एस॰ प्रो॰. —2988 भारतीय स्टाम्प सिधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उस शक्क से

एतब्द्वारा छूट देती है जिससे श्रसम विलीय निगम द्वारा पहले ही जारी किए गए तीन करोड़ बनासी लाख रुपए तक के मूर्य के श्रार जारी किए जाने ठाले दबन लाख रुपए तक के मूर्य के बंधपत उक्त श्रधिनियम के श्रधीन प्रभार्य है।

[स॰ 18/71-स्टाम्प/फा॰ सं॰ 471/16/71-सीमा-प्रुल्फ-7]

S.O. 2989.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which (h) bonds to the value of fifty-five lakhs of rupees, to be issued by the Mysore State Financial Corporation, are chargeable under the said Act.

[No. 19/71-Stamps/F. No. 471/29/71-Cus. VII.]

K. SANKARARAMAN, Under Secy.

एस॰ प्रो॰.—1989 भारतीय स्टाम्प प्रधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रभोग करते हुए केन्द्रीय सरकार उस गुल्क से, जिसके द्वारा मैसूर राज्य विस्तीय निगम द्वारा जारी किए जाने वासे पचपन लाख रू० तक के मूल्य के अंधपन उक्त श्रिधिनियम के श्रिधीन प्रभाष हैं, एतदृद्वारा छूट देती है।

सिं॰ 19/71-स्टाम्प/का०सं० 471/29/71-सिंगा शुत्क 7

कें शंकररामन, भ्रवर संविष, भारत सरकार।